

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS**

DO NOT WRITE IN THIS SPACE

Case <b>05-CB-157988</b>	Date Filed <b>08/11/2015</b>
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INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

**1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT**

a. Name <b>National Associations of Special Police and Security Officers (NASPSO)</b>	b. Union Representative to contact <b>(b) (6), (b) (7)(C)</b>	
c. Address (Street, city, state, and ZIP code) <b>840 First Street NE Third Floor Washington, DC 20002</b>	d. Tel. No. <b>202-625-8306</b>	e. Cell No. <b>(b) (6), (b) (7)(C)</b>
	f. Fax No. <b>202-248-4395</b>	g. e-Mail <b>(b) (6), (b) (7)(C)</b>
h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) <b>8b3</b> of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.		

**2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)**

Refusal to bargain in good faith. On Tuesday, August 11, 2015 at 10:00am we had a meeting scheduled to negotiate the economics of a current CBA. This charge against the union is for creating and allowing others on the union side of the table to create a hostile environment by accusing the employer representatives of racial bias, holding the door so we would leave and shouting to employer representative to go back to Virginia as we left the conference room. This conduct was unprovoked by any of the employer representatives.

3. Name of Employer <b>American Security Programs</b>	4a. Tel. No. <b>703-834-8900</b>	b. Cell No.
	c. Fax No. <b>703-834-8947</b>	d. e-Mail <b>jroehm@securamericallc.com slaboorn@securamericallc.com</b>
5. Location of plant involved (street, city, state and ZIP code) <b>395 and 375 E Street Washington, DC</b>	6. Employer representative to contact <b>Sandy LaBoon and/or Jeff Roehm</b>	
7. Type of establishment (factory, mine, wholesaler, etc.) <b>Office Building</b>	8. Identify principal product or service <b>Security Services</b>	9. Number of workers employed <b>50</b>
10. Full name of party filing charge <b>American Security Programs</b>	11a. Tel. No. <b>703-834-8900</b>	b. Cell No.
	c. Fax No. <b>703-834-8947</b>	d. e-Mail
11. Address of party filing charge (street, city, state and ZIP code.) <b>1881 Campus Commons Drive Ste 105 Reston, VA 20191</b>		

**12. DECLARATION**

I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.

By *Sandy LaBoon* Director, Human Resources  
(signature of representative or person making charge) (Print/type name and title or office, if any)

1881 Campus Commons Drive Ste 105  
Address Reston, VA 20191

(date) **08-11-2015**

Tel. No. <b>703-834-8900</b>
Cell No.
Fax No. <b>703-834-8947</b>
e-Mail <b>jroehm@securamericallc.com slaboorn@securamericallc.com</b>

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, SUITE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (410) 962-2822  
Fax: (410) 962-2198

October 30, 2015

(b) (6), (b) (7)(C)

National Association of Special Police and  
Security Officers (NASPSO)  
840 First Street, N.E., 3<sup>rd</sup> Floor  
Washington, DC 20002

Re: National Association of Special Police and  
Security Officers (NASPSO) (American  
Security Programs)  
Case 05-CB-157988

Dear (b) (6), (b) (7)(C):

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

cc:

(b) (6), (b) (7)(C)

American Security Programs  
1881 Campus Commons Drive, Suite 105  
Reston, VA 20191

UNITED STATES OF AMERICA		DO NOT WRITE IN THIS SPACE	
NATIONAL LABOR RELATIONS BOARD		Case	Date filed
CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS		05-CB-158040	August 14, 2015
INSTRUCTIONS: File an original of this charge with the NLRB Regional Director of the region in which the alleged unfair labor practice occurred or is occurring.			
1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name Security Police and Fire Professional America (SPFPA), Local 555		b. Union Representative to Contact (b) (6), (b) (7)(C)	
c. Address 2701 Patapsco Ave., Baltimore, MD 21230		d. Tel. No. 301-661-3439	e. Cell No.
		f. Fax No.	g. e-Mail
h. The above-named labor organization or its agents have engaged in and are engaging in unfair labor practices within the meaning of section 8(b), (1)(A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)			
<p>Since about (b) (6), (b) (7)(C) 2015 the above-named labor organization has restrained and coerced employees by refusing to process the grievance of (b) (6), (b) (7)(C) regarding the Employer's failure to pay wages as described in the collective bargaining agreement for arbitrary or discriminatory reasons or in bad faith.</p>			
3. Name of Employer Security Walls		4a. Tel. No. 240-613-6946	4b. Cell No.
		4c. Fax No.	4d. e-Mail
5. Location of Plant involved (street, city, state, and ZIP code) 5000 Ellin Road, New Carrollton, MD 20706		6. Employer representative to contact Elaine Foster	
7. Type of Establishment (factory, mine, wholesaler) Federal Office Building	8. Principal product or service Security Services		9. Number of Workers employed 40
10. Full name of party filing charge (b) (6), (b) (7)(C) An Individual		11a. Tel. No. (b) (6), (b) (7)(C)	11b. Cell No.
		11c. Fax No.	11d. e-Mail (b) (6), (b) (7)(C)
11. Address of party filing charge (street, city, state, and ZIP code) (b) (6), (b) (7)(C)			
12. DECLARATION			
(b) (6), (b) (7)(C) charge and that the statements therein are true to the best of my knowledge and belief.			
By	(b) (6), (b) (7)(C)	Tel No.	
(Signature)	(b) (6), (b) (7)(C) An Individual	(b) (6), (b) (7)(C)	
	Print/type name and title or office, if any	Cell No.	
A	(b) (6), (b) (7)(C)	Date:	Fax No.
		8/14/15	e-Mail

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

## PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for this information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

(b) (6), (b) (7)(C)



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, STE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (410)962-2822  
Fax: (410)962-2198

October 28, 2015

(b) (6), (b) (7)(C)

Security, Police and Fire Professionals of  
America (SPFPA), Local 555  
2701 Patapsco Avenue, Suite 107  
Baltimore, MD 21230

Re: Security Police and Fire Professionals of  
America (SPFPA), Local 555  
(Security Walls)  
Case 05-CB-158040

Dear (b) (6), (b) (7)(C):

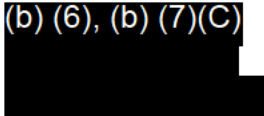
This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

cc: (b) (6), (b) (7)(C)





UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD		DO NOT WRITE IN THIS SPACE	
CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS		Case 05-CB-159034	Date filed 8/28/15
INSTRUCTIONS: File an original of this charge with the NLRB Regional Director of the region in which the alleged unfair labor practice occurred or is occurring.			
1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name International Union, Security Police and Fire Professionals of America (SPFPA), Local 451		b. Union Representative to Contact (b) (6), (b) (7)(C)	
c. Address 4700 Huntington Ave. Newport News, VA 23607		d. Tel. No. 757-472-6754	e. Cell No.
		f. Fax No. 757-244-4662	g. e-Mail
h. The above-named labor organization or its agents have engaged in and are engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (1)(A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)			
<p>Since on or about the past six months, the above-named Labor Organization, by its officers, agents and representatives, restrained and coerced the employees of Huntington Ingalls, Inc., Newport News Shipbuilding in the exercise of the rights guaranteed in Section 7 of the Act by failing to fairly represent (b) (6), (b) (7)(C) in a grievance against the Employer concerning (b) (6), (b) (7)(C) discharge and for notifying (b) (6), (b) (7)(C) on (b) (6), (b) (7)(C) 2015, that the Union would not take the grievance to arbitration.</p>			
3. Name of Employer Huntington Ingalls, Inc., Newport News Shipbuilding		4a. Tel. No. 757-688-2587	4b. Cell No.
		4c. Fax No. 757-380-7800	4d. e-Mail
5. Location of Plant involved (street, city, state, and ZIP code) 4101 Washington Avenue, Newport News, VA 23607		6. Employer representative to contact Chris Hoyer, Human Resources	
7. Type of Establishment (factory, mine, wholesaler) Government contractor	8. Principal product or service Naval ships	9. Number of Workers employed 15,000	
10. Full name of party filing charge (b) (6), (b) (7)(C)		11a. Tel. No. (b) (6), (b) (7)(C)	11b. Cell No. (b) (6), (b) (7)(C)
		11c. Fax No.	11d. e-Mail (b) (6), (b) (7)(C)
11. Address of party filing charge (street, city, state, and ZIP code) (b) (6), (b) (7)(C)			
12. DECLARATION			
I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.			
(b) (6), (b) (7)(C)		(b) (6), (b) (7)(C) an individual	Tel No.
(signature of representative or person making charge)		Print/type name and title or office, if any)	Cell No. (b) (6), (b) (7)(C)
Address: (b) (6), (b) (7)(C)		Date: 08/14/2015	Fax No.
		e-Mail (b) (6), (b) (7)(C)	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

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UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, STE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (410)962-2822  
Fax: (410)962-2198

November 24, 2015

(b) (6), (b) (7)(C)

Re: International Union, Security Police and Fire  
Professionals of America (SPFPA), Local 451  
(Huntington Ingalls, Inc.,  
Newport News Shipbuilding)  
Case 05-CB-159034

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that International Union, Security Police and Fire Professionals of America (SPFPA), Local 451 has violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have concluded that further proceedings are not warranted and I am dismissing the charge for the following reasons.

The charge alleges the Union violated Section 8(b)(1)(A) of the Act by failing to fairly represent you in a grievance against your employer concerning your discharge and for notifying you, on or about (b) (6), (b) (7)(C) 2015, that it would not take the grievance to arbitration.

It is well established that a union owes employees a duty of fair representation with regard to disputes arising with an employer. A union is afforded a wide range of reasonableness in carrying out this duty. Thus, absent a showing that its decision was based on arbitrary, irrelevant or discriminatory considerations, the mere failure of a union to process a grievance through all steps or to arbitration is not unlawful. See Vaca v. Sipes, 386 U.S. 171 (1967); Ford Motor Co. v. Huffman, 345 U.S. 330 (1953).

The evidence gathered during the investigation of the charge showed that the Union processed the grievance through step 3 of the grievance and arbitration procedure and the employer denied the grievance at each step. At step 3, international representatives of the Union reviewed the facts and evidence and determined the grievance lacked merit to go to arbitration. The evidence was insufficient to show that the Union's decision to not take the grievance to arbitration was based on arbitrary, irrelevant or discriminatory consideration. Rather, the Union based its decision on its analysis of the merits of the grievance. Accordingly, further proceedings are not warranted and I am refusing to issue complaint on this charge.

November 24, 2015

**Your Right to Appeal:** You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at [www.nlrb.gov](http://www.nlrb.gov). However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect.

**Means of Filing:** An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax or email. To file an appeal electronically, go to the Agency's website at [www.nlrb.gov](http://www.nlrb.gov), click on **E-File Documents**, enter the **NLRB Case Number**, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

**Appeal Due Date:** The appeal is due on **December 8, 2015**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than December 7, 2015. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before December 8, 2015**. The request may be filed electronically through the **E-File Documents** link on our website [www.nlrb.gov](http://www.nlrb.gov), by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after December 8, 2015, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

International Union, Security Police and Fire - 3 -  
Professionals of America (SPFPA), Local  
451 (Huntington Ingalls, Inc., Newport  
News Shipbuilding)  
Case 05-CB-159034

November 24, 2015

**Confidentiality:** We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

Enclosure

cc: Gordon A. Gregory, Esq.  
Gregory, Moore, Jeakle & Brooks, P.C.  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226-2893

**(b) (6), (b) (7)(C)**

International Union, Security Police and  
Fire Professionals of America (SPFPA),  
Local 451  
4700 Huntington Avenue  
Newport News, VA 23607-2525

Mr. Chris Hoyer  
Human Resources  
Huntington Ingalls, Inc., Newport News  
Shipbuilding  
4101 Washington Avenue  
Newport News, VA 23607

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
1015 Half Street SE  
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

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Case Name(s).

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Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

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*(Signature)*





**UNITED STATES GOVERNMENT**  
**NATIONAL LABOR RELATIONS BOARD**  
**OFFICE OF THE GENERAL COUNSEL**  
Washington, DC 20570

January 4, 2016

(b) (6), (b) (7)(C)

Re: International Union, Security Police and  
Fire Professionals of America (SPFPA),  
Local 451 (Huntington Ingalls, Inc.,  
Newport News Shipbuilding)  
Case 05-CB-159034

Dear (b) (6), (b) (7)(C):

This office has carefully considered the appeal from the Regional Director's refusal to issue complaint. We agree with the Regional Director's decision and deny the appeal substantially for the reasons in the Regional Director's letter of November 24, 2015.

You have alleged that the Union violated the National Labor Relations Act when it did not process your discharge grievance further. Our review did not disclose that the Union violated the Act. In this regard, unions are afforded wide discretion under the Act in the processing of grievances. We do not issue a complaint against a union's decision to decline to process a grievance further unless the decision was based on arbitrary or discriminatory considerations. Further, a grievant does not have an absolute right to have his grievance processed to arbitration.

Our review disclosed that the Union processed a grievance on your behalf through the first few steps of the grievance process. The Union reviewed the Employer's evidence pertaining to the discharge, including witness testimony and a surveillance video. The Union subsequently determined not to process the grievance further because of its good faith belief that the grievance would not be successful. Our review did not disclose that the Union relied on unlawful considerations when it made this determination.

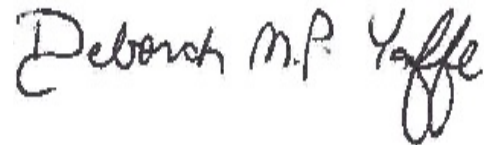
International Union, Security Police and Fire  
Professionals of America (SPFPA), Local  
451 (Huntington Ingalls, Inc., Newport  
News Shipbuilding)  
Case 05-CB-159034

-2

Consequently, there is no basis to issue a complaint in this matter because the Union did not violate the Act.

Sincerely,

Richard F. Griffin, Jr.  
General Counsel



By:

---

Deborah M.P. Yaffe, Director  
Office of Appeals

cc: CHARLES L. POSNER  
REGIONAL DIRECTOR  
NATIONAL LABOR RELATIONS  
BOARD  
BANK OF AMERICA CENTER,  
TOWER II  
100 S CHARLES ST STE 600  
BALTIMORE, MD 21201

CHRIS HOYER  
HUMAN RESOURCES  
HUNTINGTON INGALLS, INC.,  
NEWPORT NEWS SHIPBUILDING  
4101 WASHINGTON AVE  
NEWPORT NEWS, VA 23607

**(b) (6), (b) (7)(C)**  
INTERNATIONAL UNION, SECURITY  
POLICE AND FIRE PROFESSIONALS  
OF AMERICA (SPFPA), LOCAL 451  
4700 HUNTINGTON AVE  
NEWPORT NEWS, VA 23607-2525

GORDON A. GREGORY, ESQ.  
GREGORY, MOORE, JEAKLE  
& BROOKS, P.C.  
65 CADILLAC SQ STE 3727  
DETROIT, MI 48226-2893

cl

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD		Case	Date filed
<b>CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS</b>		05-CB-159169	08/31/2015
<b>INSTRUCTIONS:</b> File an original of this charge with the NLRB Regional Director of the region in which the alleged unfair labor practice occurred or is occurring.			
<b>1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT</b>			
a. Name International Union, Security, Police and Fire Professionals of America (SPFPA) and International Union, Security, Police and Fire Professional of America (SPFPA), Local 287		b. Union Representative to Contact (b) (6), (b) (7)(C)	
c. Address 25510 Kelly Road Roseville, MI 48066		d. Tel. No. (586)772-7250 ext. (b) (6), (b) (7)(C)	e. Cell No. (b) (6), (b) (7)(C)
		f. Fax No. (586)772-9644	g. e-Mail (b) (6), (b) (7)(C)
h. The above-named labor organization or its agents have engaged in and are engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (1)(A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)			
<p>Since about July 1, 2015, the above-named labor organization has restrained and coerced employees by refusing to represent employees for arbitrary or discriminatory reasons or in bad faith with respect to the following changes carried out by the employer:</p> <ul style="list-style-type: none"> <li>- Paying reduced health &amp; welfare benefits;</li> <li>- Failing to follow the shift bid; and</li> <li>- Changing the dress code.</li> </ul>			
3. Name of Employer The Cogar Group, Ltd.		4a. Tel. No. (703)942-8118 ext. 116	4b. Cell No. (202)676-6870
		4c. Fax No. (703)942-6185	4d. e-Mail gwholean@thecogargroup.com
5. Location of Plant involved (street, city, state, and ZIP code) 1401 Constitution Avenue, Washington, DC 20230		6. Employer representative to contact Greg Wholean, Regional Manager	
7. Type of Establishment (factory, mine, wholesaler) Federal building	8. Principal product or service Security Services	9. Number of Workers employed About 54	
10. Full name of party filing charge (b) (6), (b) (7)(C)	11a. Tel. No. (b) (6), (b) (7)(C)	11b. Cell No. (b) (6), (b) (7)(C)	
	11c. Fax No.	11d. e-Mail (b) (6), (b) (7)(C)	
11. Address of party filing charge (street, city, state, and ZIP code) (b) (6), (b) (7)(C)			
<b>12. DECLARATION</b>			
I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.			
(b) (6), (b) (7)(C)		Tel. No.	
(b) (6), (b) (7)(C) An Individual		(b) (6), (b) (7)(C)	
Print/type name and title or office, if any		Cell No. (b) (6), (b) (7)(C)	
Address: (b) (6), (b) (7)(C)		Fax No.	
		e-Mail (b) (6), (b) (7)(C)	
		Date: 8/28/2015	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

**PRIVACY ACT STATEMENT**

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(b) (6), (b) (7)(C)



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, STE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (410) 962-2822  
Fax: (410) 962-2198

November 24, 2015

Michael J. Akins, Esq.  
Gregory, Moore, Jeakle, & Brooks, P.C.  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226

Re: International Union, Security, Police and  
Fire Professionals of America (SPFPA) and  
International Union, Security, Police and  
Fire Professionals of America (SPFPA),  
Local 287 (The Cogar Group, Ltd.)  
Case 05-CB-159169

Dear Mr. Akins:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

cc: (b) (6), (b) (7)(C)  
International Union, Security, Police and  
Fire Professionals of America (SPFPA)  
and International Union, Security, Police  
and Fire Professionals of America  
(SPFPA), Local No. 287  
25510 Kelly Road  
Roseville, MI 48066

Mr. Greg Wholean, Regional Manager  
The Cogar Group, Ltd.  
1401 Constitution Avenue  
Washington, DC 20230

(b) (6), (b) (7)(C)  
[Redacted]

UNITED STATES OF AMERICA		DO NOT WRITE IN THIS SPACE	
NATIONAL LABOR RELATIONS BOARD		Case	Date filed
CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS		05-CB-160563	09/22/2015
INSTRUCTIONS: File an original of this charge with the NLRB Regional Director of the region in which the alleged unfair labor practice occurred or is occurring.			
1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name International Union, Security, Police and Fire Professionals of America (SPFPA) and its Amalgamated Local 287		b. Union Representative to Contact (b) (6), (b) (7)(C)	
c. Address 25510 Kelly Road, Roseville, MI 48066		d. Tel. No.	e. Cell No. (b) (6), (b) (7)(C)
		f. Fax No.	g. e-Mail (b) (6), (b) (7)(C)
h. The above-named labor organization or its agents have engaged in and are engaging in unfair labor practices within the meaning of section 8(b)(1)(A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) Since on or about (b) (6), (b) (7)(C) 2015, and at all times thereafter, the above-named Labor Organization, by its officers, agents and representatives, restrained and coerced the employees of Coastal International Security, namely (b) (6), (b) (7)(C), in the exercise of the rights guaranteed in Section 7 of the Act, by failing to represent (b) (6), (b) (7)(C) in appealing (b) (6), (b) (7)(C) removal from the Government Contract.			
3. Name of Employer Coastal International Security		4a. Tel. No. (703) 339 0233	4b. Cell No.
		4c. Fax No.	4d. e-Mail
5. Location of Plant involved (street, city, state, and ZIP code) Ronald Reagan Building and International Trade Center 1300 Pennsylvania Avenue, Washington DC, 20004		6. Employer representative to contact Janice Simmons 6101 Fallard Drive, Upper Malboro, MD 20772	
7. Type of Establishment (factory, mine, wholesaler) Government Contractor	8. Principal product or service Security services	9. Number of Workers employed 300	
10. Full name of party filing charge (b) (6), (b) (7)(C)		11a. Tel. No.	11b. Cell No. (b) (6), (b) (7)(C)
		11c. Fax No.	11d. e-Mail (b) (6), (b) (7)(C)
11. Address of party filing charge (street, city, state, and ZIP code) (b) (6), (b) (7)(C)			
12. DECLARATION			
I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.			
By: (b) (6), (b) (7)(C)	(b) (6), (b) (7)(C) an Individual		Tel No.
(signature of representative of person making charge)	Print/type name and title or office, if any		Cell No. (b) (6), (b) (7)(C)
Address: (b) (6), (b) (7)(C)	Date: 9/13/15	Fax No. (b) (6), (b) (7)(C)	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

(b) (6), (b) (7)(C)





UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, STE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (410)962-2822  
Fax: (410)962-2198

December 30, 2015

(b) (6), (b) (7)(C)

Re: International Union, Security, Police and  
Fire Professionals of America (SPFPA) and  
its Amalgamated Local 287 (Coastal  
International Security)  
Case 05-CB-160563

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that International Union, Security, Police and Fire Professionals of America (SPFPA) and its Amalgamated Local 287 has violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have decided to dismiss your charge because there is insufficient evidence to establish a violation of the Act.

**Your Right to Appeal:** You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at [www.nlrb.gov](http://www.nlrb.gov). However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect.

**Means of Filing:** An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax or email. To file an appeal electronically, go to the Agency's website at [www.nlrb.gov](http://www.nlrb.gov), click on **E-File Documents**, enter the **NLRB Case Number**, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

**Appeal Due Date:** The appeal is due on **January 13, 2016**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than January 12, 2016. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the

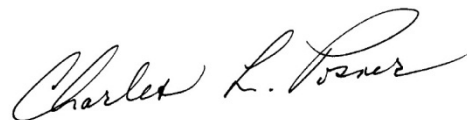
December 30, 2015

appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before January 13, 2016**. The request may be filed electronically through the *E-File Documents* link on our website [www.nlr.gov](http://www.nlr.gov), by fax to (202) 273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after January 13, 2016, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

**Confidentiality:** We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

A handwritten signature in black ink, reading "Charles L. Posner". The signature is fluid and cursive, with the first name "Charles" being more prominent and the last name "Posner" written in a slightly more compact, cursive style.

Charles L. Posner  
Regional Director

Enclosure

cc: See Page Three

International Union, Security, Police and  
Fire Professionals of America (SPFPA) and  
its Amalgamated Local 287 (Coastal  
International Security)  
Case 05-CB-160563

- 3 -

December 30, 2015

cc:

**(b) (6), (b) (7)(C)**

International Union, Security, Police and  
Fire Professionals of America (SPFPA)  
and its Amalgamated Local 287  
25510 Kelly Road  
Roseville, MI 48066

Michael J. Akins, Esq.  
Gregory, Moore, Jeakle, & Brooks, P.C.  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226

Ms. Janice Simmons  
Director Human Resources  
Coastal International Security, Inc.  
6101 Fallard Drive  
Upper Marlboro, MD 20772

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
1015 Half Street SE  
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

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Case Name(s).

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Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

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*(Signature)*

INTERNET  
FORM NLRB-508  
(2-08)

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS

FORM EXEMPT UNDER 44 U.S.C. 3512

DO NOT WRITE IN THIS SPACE	
Case <b>OS-CB-160849</b>	Date Filed <b>9/25/15</b>

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name <b>SPFPA</b>		b. Union Representative to contact <b>(b) (6), (b) (7)(C)</b>	
c. Address (Street, city, state, and ZIP code) <b>25510 Kelly Rd Roseville, ME 04066</b>		d. Tel. No. <b>586-776 5644</b>	e. Cell No.
		f. Fax No.	g. e-Mail <b>(b) (6), (b) (7)(C)</b>
h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) <b>(1)(A)</b> of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) <b>BAD FAITH / SURFACE BARGAINING (INITIAL CONTRACT)</b>			
3. Name of Employer <b>COASTAL Security</b>		4a. Tel. No. <b>703 379 0233</b>	b. Cell No.
		c. Fax No. <b>703-339-7951</b>	d. e-Mail
6. Location of plant involved (street, city, state and ZIP code) <b>633 Indiana Ave N.W 20004</b>		6. Employer representative to contact <b>GAIL Heath</b>	
7. Type of establishment (factory, mine, wholesaler, etc.) <b>Govt Outfitters</b>	8. Identify principal product or service <b>Security</b>	9. Number of workers employed <b>9</b>	
10. Full name of party filing charge <b>(b) (6), (b) (7)(C)</b>		11a. Tel. No.	b. Cell No. <b>(b) (6), (b) (7)(C)</b>
11. Address of party filing charge (street, city, state and ZIP code) <b>(b) (6), (b) (7)(C)</b>		c. Fax No.	d. e-Mail <b>(b) (6), (b) (7)(C)</b>
12. DECLARATION I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief. By <b>(b) (6), (b) (7)(C)</b> (Print name and title or office, if any) <b>(b) (6), (b) (7)(C)</b> Address <b>(b) (6), (b) (7)(C)</b> (date) <b>9-25-15</b>			
		Tel. No.	
		Cell No.	<b>(b) (6), (b) (7)(C)</b>
		Fax No.	
		e-Mail	<b>(b) (6), (b) (7)(C)</b>

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 161 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.





UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, SUITE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (410) 962-2822  
Fax: (410) 962-2198

October 21, 2015

Michael J. Akins, Esq.  
Gregory, Moore, Jeakle & Brooks, P.C.  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226

Re: International Union, Security, Police and  
Fire Professionals of America (SPFPA)  
(Coastal Security)  
Case 05-CB-160849

Dear Mr. Akins:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

cc: (b) (6), (b) (7)(C)  
International Union Security, Police  
and Fire Professionals, Local 122  
25510 Kelly Road  
Roseville, MI 48066-4932

(b) (6), (b) (7)(C)

Ms. Gail Heath  
Coastal International Security  
6101 Fallard Drive  
Upper Marlboro, MD 20772

INTERNET  
FORM NLRB-508  
(2-08)

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS

FORM EXEMPT UNDER 44 U.S.C. 3012

DO NOT WRITE IN THIS SPACE	
Case	05-CB-160874
Date Filed	09/25/15

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name SECURITY POLICE FIRE PROFESSIONALS OF AMERICA		b. Union (b) (6), (b) (7)(C) REGION 4	
c. Address (Street, city, state, and ZIP code) 25510 KELLY ROAD ROSEVILLE, MI, 48066		d. Tel. No. 586 772-7250	e. Cell No. (b) (6), (b) (7)(C)
		f. Fax No. 586 772-9644	g. e-Mail (b) (6), (b) (7)(C)
h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(a) (list subsections) (CISD) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) BAD FAITH/SURFACE BARGAINING (INITIAL CONTRACT)			
3. Name of Employer COASTAL INTERNATIONAL SECURITY		4a. Tel. No. 303 339-0233	b. Cell No.
		c. Fax No. 703 339-7951	d. e-Mail
5. Location of plant involved (street, city, state and ZIP code) 633 INDIANA AVE SUITE #105 N.W. WASHINGTON, D.C. 20004		6. Employer representative to contact GAIL HEATH	
7. Type of establishment (factory, mine, wholesaler, etc.) GOVERNMENT CONTRACT	8. Identify principal product or service SECURITY	9. Number of workers employed 9	
10. Full name of party filing charge (b) (6), (b) (7)(C)		11a. Tel. No.	b. Cell No. (b) (6), (b) (7)(C)
		c. Fax No.	d. e-Mail (b) (6), (b) (7)(C)
11. Address of party filing charge (street, city, state and ZIP code.) (b) (6), (b) (7)(C)			
12. DECLARATION I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief. By (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (signature of representative or person making charge) (Printtype name and title or office, if any)		To (b) (6), (b) (7)(C) Cell No. SAME Fax No. e-Mail (b) (6), (b) (7)(C)	
Address (b) (6), (b) (7)(C) (date) 9/24/15			

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, SUITE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (410) 962-2822  
Fax: (410) 962-2198

October 23, 2015

(b) (6), (b) (7)(C)

Re: Coastal Security  
Case 05-CA-160896  
International Union Security, Police and  
Fire Professionals of America (SPFPA)  
(Coastal International Security)  
Case 05-CB-160874

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charges that Coastal Security and International Union Security, Police and Fire Professionals of America (SPFPA) have violated the National Labor Relations Act.

**Decision to Dismiss:** In view of your lack of cooperation in investigating these cases, I have determined that further proceedings are not warranted at this time and I am dismissing your charges.

On September 25, 2015, you filed two charges, which were docketed as Cases 05-CA-160896 and 05-CB-160874. Case 05-CA-160896 alleges that Coastal International Security violated Section 8(a)(1) and (5) of the National Labor Relations Act (the Act) by engaging in bad-faith surface bargaining. Case 05-CB-160874 alleges that International Union Security, Police and Fire Professionals of America (SPFPA) violated Section 8(b)(1)(A) of the Act by engaging in bad-faith surface bargaining.

By letter dated September 29, 2015, you were advised that it was your responsibility to meet with the investigating Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. You were cautioned that your failure to present evidence promptly could result in your charges being dismissed without investigation. On October 1, 2015, you spoke with the investigating Board agent, but you were unable to schedule an in-person affidavit at that time. On October 2 and 5, 2015, the Board agent attempted to contact you to schedule an in-person affidavit, but you failed to return his calls. On October 6, 2015, the investigating Board agent sent you an e-mail requesting that you contact him to discuss an alternative to an in-person affidavit. Thereafter, by a letter dated October 8, 2015, you were notified by U.S. mail and e-mail that an appointment had been scheduled for you to appear at the Regional office for an affidavit on October 16, 2015. In that letter you were again informed that any failure to provide your evidence by October 16, (or to reschedule your appointment before that date) may result in dismissal of your charges for lack of cooperation. You failed to appear for your appointment on October 16, and

International Union Security, Police and Fire  
Professionals of America (SPFPA) (Coastal  
International Security)  
Case 05-CB-160874

did not contact the Board agent to explain your absence. Based on your failure to cooperate in providing evidence to support your charges, further investigation is not warranted, and I am refusing to issue a complaint in these matters.

If you wish to re-file these charges later when you can cooperate in the investigation, you may do so. However, your attention is directed to Section 10(b) of the Act which provides that a charge must be filed with the NLRB and served on the charged party within six months of the conduct alleged to be unlawful.

**Your Right to Appeal:** You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at [www.nlr.gov](http://www.nlr.gov). However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect.

**Means of Filing:** An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax or email. To file an appeal electronically, go to the Agency's website at [www.nlr.gov](http://www.nlr.gov), click on **E-File Documents**, enter the **NLRB Case Number**, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street S.E., Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

**Appeal Due Date:** The appeal is due on **November 6, 2015**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than November 5, 2015. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before November 6, 2015**. The request may be filed electronically through the **E-File Documents** link on our website [www.nlr.gov](http://www.nlr.gov), by fax to (202) 273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after November 6, 2015, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

Case 05-CA-160896

International Union Security, Police and Fire  
Professionals of America (SPFPA) (Coastal  
International Security)

Case 05-CB-160874

**Confidentiality:** We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

Enclosure: Appeal form

cc:

**(b) (6), (b) (7)(C)**

International Union, Security, Police and  
Fire Professionals of America (SPFPA)  
25510 Kelly Road  
Roseville, MI 48066-4932

Michael J. Akins, Esq.  
Gregory, Moore, Jeakle & Brooks, P.C.  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226

Mr. Henry Wolfe, Project Manager  
Coastal International Security, Inc.  
6101 Fallard Drive  
Upper Marlboro, MD 20772-3878

Ms. Maureen Dolan  
Litigation Manager  
Akai Group  
7 Infinity Loop  
Espanola, NM 87532-6737

Ms. Gail Heath  
Coastal International Security  
633 Indiana Avenue, Suite 105, N.W.  
Washington, DC 20004



UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
1015 Half Street SE  
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

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Case Name(s).

---

Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

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*(Signature)*

INTERNET  
FORM NLRB-508  
(2-09)

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS

FORM EXEMPT UNDER 44 U.S.C. 3512

DO NOT WRITE IN THIS SPACE

Case

5-CB-160881

Date Filed

9/25/2015

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

## 1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT

a. Name

SPFPA

b. Union Representative to contact

(b) (6), (b) (7)(C)

c. Address (Street, city, state, and ZIP code)

25510 Kelly Rd  
Roseville, MI 48066

d. Tel. No.

586-772-9644

e. Cell No.

f. Fax No.

g. e-Mail

(b) (6), (b) (7)(C)

h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) 504 of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

Bad Faith/Surface Bargaining (Initial Contract)

3. Name of Employer

Coastal Security

4a. Tel. No.

203-339-0237

b. Cell No.

c. Fax No.

203-339-7951

d. e-Mail

5. Location of plant involved (street, city, state and ZIP code)

633 Indiana Ave N.W. 20004

6. Employer representative to contact

Gail Heath

7. Type of establishment (factory, mine, wholesaler, etc.)

govt Building

8. Identify principal product or service

security

9. Number of workers employed

9

10. Full name of party filing charge

(b) (6), (b) (7)(C)

11a. Tel. No.

b. Cell No.

(b) (6), (b) (7)(C)

c. Fax No.

d. e-Mail

11. Address of party filing charge (street, city, state and ZIP code)

(b) (6), (b) (7)(C)

## 12. DECLARATION

I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(Signature of representative of person making charge)

(Print type name and title or office, if any)

(b) (6), (b) (7)(C)

Tel. No.

Cell

(b) (6), (b) (7)(C)

Fax No.

Address

(date) 9/24/15

(b) (6), (b) (7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

## PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, SUITE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (410) 962-2822  
Fax: (410) 962-2198

October 8, 2015

Michael J. Akins, Esq.  
Gregory, Moore, Jeakle & Brooks, P.C.  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226

Re: International Union, Security, Police and  
Fire Professionals of America (SPFPA)  
(Coastal Security)  
Case 05-CB-160881

Dear Mr. Akins:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

*/s/ Steven L. Shuster*

Steven L. Shuster  
Acting Regional Director

cc: (b) (6), (b) (7)(C)  
International Union, Security, Police and  
Fire Professionals of America (SPFPA)  
25510 Kelly Road  
Roseville, MI 48066-4932

Ms. Gail Heath  
Coastal International Security  
6101 Fallard Drive  
Upper Marlboro, MD 20772

(b) (6), (b) (7)(C)

INTERNET  
FORM NLRB-508  
(2-08)

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS

FORM EXEMPT UNDER 44 U.S.C. 3512

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
05-CB-160895	09/25/15

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT		
a. Name	b. Union Representative to contact	
SPFPA	(b) (6), (b) (7)(C)	
c. Address (Street, city, state, and ZIP code)	d. Tel. No.	e. Cell No.
25510 Kelly Rd	586-772-4644	
Roseville, MI 48066	f. Fax No.	g. e-Mail
		(b) (6), (b) (7)(C)
h. The above-named organization(s) or its agents, has (have) engaged in and is (are) engaging in unfair labor practices within subsection(s) (list subsections) (b)(6), (b)(7)(C) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.		

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)
Bad faith / surface Bargaining (initial contract)

3. Name of Employer	4a. Tel. No.	b. Cell No.
Coastal Security	703-339-0253	
	c. Fax No.	d. e-Mail
	703-339-7951	
5. Location of plant involved (street, city, state and ZIP code)	6. Employer representative to contact	
633 Indiana Ave N.W. 20004	Gail Heath	
7. Type of establishment (factory, mine, wholesaler, etc.)	8. Identify principal product or service	9. Number of workers employed
Sort Building	Security	9
10. Full name of party filing charge	11a. Tel. No.	b. Cell No.
(b) (6), (b) (7)(C)		(b) (6), (b) (7)(C)
	c. Fax No.	d. e-Mail
11. Address of party filing charge (street, city, state and ZIP code)		
(b) (6), (b) (7)(C)		

12. DECLARATION	
I declare that I have read the above charge and that the statements herein are true to the best of my knowledge and belief.	
By (b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)
(Signature of representative of person making charge) (Print name and title or office, if any)	
(b) (6), (b) (7)(C)	
Address	(date) 9/25/15
(b) (6), (b) (7)(C)	
Tel. No.	
Cell No.	
(b) (6), (b) (7)(C)	
Fax No.	
e-Mail	
(b) (6), (b) (7)(C)	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, SUITE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (410) 962-2822  
Fax: (410) 962-2198

October 23, 2015

(b) (6), (b) (7)(C)

Re: Coastal Security  
Cases 05-CA-160851, 05-CA-160848  
International Union Security, Police and  
Fire Professionals (Coastal Security)  
Cases 05-CB-160895 and 05-CB-160935

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charges alleging that Coastal International Security and International Union Security, Police and Fire Professionals (SFPFA) have violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have decided to dismiss your charges for the reasons discussed below.

On September 25, 2015, you filed four charges, which were docketed as Cases 05-CA-160851, 05-CA-160848, 05-CB-160895, and 05-CB-160935. The charges in Cases 05-CA-160851 and 05-CA-160848 are identical; both alleging that Coastal Security violated Section 8(a)(5) and (1) of the National Labor Relations Act (the Act) by engaging in bad faith surface bargaining. The charges in Cases 05-CB-160895 and 05-CB-160935 are also identical; both alleging that International Union Security, Police and Fire Professionals of America (SPFPA) violated Section 8(b)(1)(A) of the Act by engaging in bad faith surface bargaining.

By letters dated September 29 and 30, 2015, you were advised that it is your responsibility to meet with the investigating Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. You were cautioned that your failure to present evidence promptly could result in your charges being dismissed without investigation. On September 29, 2015, the investigating Board agent attempted to contact you by telephone, and left a message asking you to contact him to schedule an affidavit. On October 1, 2015, the Board agent attempted to reach you by telephone and e-mail. None of these voice or e-mail messages were returned. Thereafter, by a letter dated October 6, 2015, you were notified by U.S. mail and e-mail that an appointment had been scheduled for you to appear at the Regional office for an affidavit on October 14, 2015. In that letter, you were again informed that any failure to provide your evidence by October 14 (or to reschedule your appointment before that date) may result in dismissal of your charges for lack of cooperation. You failed to appear for your appointment on October 14, and did not contact the Board agent to explain your absence. That same day, the investigating Board agent left another voicemail message asking you to contact him. You did not respond to that message, or



to any of the other messages he left for you. Based on your failure to cooperate in providing evidence to support your charges, further investigation is not warranted, and I am refusing to issue a complaint in these matters.

If you wish to re-file these charges later when you can cooperate in the investigation, you may do so. However, your attention is directed to Section 10(b) of the Act which provides that a charge must be filed with the NLRB and served on the charged party within six months of the conduct alleged to be unlawful.

**Your Right to Appeal:** You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at [www.nlr.gov](http://www.nlr.gov). However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect.

**Means of Filing:** An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax or email. To file an appeal electronically, go to the Agency's website at [www.nlr.gov](http://www.nlr.gov), click on **E-File Documents**, enter the **NLRB Case Number**, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street, S.E., Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

**Appeal Due Date:** The appeal is due on **November 6, 2015**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than November 5, 2015. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before November 6, 2015**. The request may be filed electronically through the **E-File Documents** link on our website [www.nlr.gov](http://www.nlr.gov), by fax to (202) 273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after November 6, 2015, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.



**Confidentiality:** We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

Enclosure: Appeal Form

cc: See Page Four

Coastal Security  
Cases 05-CA-160851, 05-CA-160848  
International Union Security, Police and  
Fire Professionals (Coastal Security)  
Cases 05-CB-160895 and 05-CB-160935

- 4 -

October 23, 2015

cc: Ms. Maureen Dolan  
Litigation Manager  
Akal Group  
7 Infinity Loop  
Espanola, NM 87532-6737

(b) (6), (b) (7)(C)  
International Union, Security, Police and  
Fire Professionals of America (SPFPA)  
25510 Kelly Road  
Roseville, MI 48066-4932

Michael J. Akins, Esq.  
Gregory, Moore, Jeakle & Brooks, P.C.  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226

Ms. Gail Heath  
Coastal International Security  
633 Indiana Avenue, N.W., Suite 105  
Washington, DC 20004

Mr. Henry Wolfe  
Coastal International Security  
6101 Fallard Drive  
Upper Marlboro, MD 20772

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
1015 Half Street SE  
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

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Case Name(s).

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Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

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*(Signature)*

INTERNET  
FORM NLRB-608  
(2-08)

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS

FORM EXEMPT UNDER 44 U.S.C. 3512

DO NOT WRITE IN THIS SPACE

Case 05-CB-160935

Date Filed 09/25/15

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

## 1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT

a. Name

SPFPA

b. Union Representative to contact

(b) (6), (b) (7)(C)

c. Address (Street, city, state, and ZIP code)

25510 Kelly Rd  
Rosenille, MI 48066

d. Tel. No.

586-772-9644

e. Cell No.

f. Fax No.

g. e-Mail

(b) (6), (b) (7)(C)

h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the sub-section(s) (list subsections) (2224) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

Bad faith / surface bargaining (initial contract)

3. Name of Employer

Coastal Security

4a. Tel. No.

703-339-0253

b. Cell No.

c. Fax No.

703-339-7951

d. e-Mail

6. Location of plant involved (street, city, state and ZIP code)

633 Indiana Ave N.W. 20004

8. Employer representative to contact

Gail Heath

7. Type of establishment (factory, mine, wholesaler, etc.)

gov + Building

8. Identify principal product or service

Security

9. Number of workers employed

9

10. Full name of party filing charge

(b) (6), (b) (7)(C)

11a. Tel. No.

(b) (6), (b) (7)(C)

c. Fax No.

d. e-Mail

11. Address of party filing charge (street, city, state and ZIP code)

(b) (6), (b) (7)(C)

## 12. DECLARATION

I declare that I have read the above charge and that the statements therein are true.

By (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(Type name and title of person making charge)

(Type name and title of person making charge)

Address

(b) (6), (b) (7)(C)

(date)

9/25/15

Tel. No.

Cell No.

Fax No.

e-Mail

(b) (6), (b) (7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

## PRIVACY ACT STATEMENT

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UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, SUITE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (410) 962-2822  
Fax: (410) 962-2198

October 23, 2015

(b) (6), (b) (7)(C)

Re: Coastal Security  
Cases 05-CA-160851, 05-CA-160848  
International Union Security, Police and  
Fire Professionals (Coastal Security)  
Cases 05-CB-160895 and 05-CB-160935

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charges alleging that Coastal International Security and International Union Security, Police and Fire Professionals (SFPFA) have violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have decided to dismiss your charges for the reasons discussed below.

On September 25, 2015, you filed four charges, which were docketed as Cases 05-CA-160851, 05-CA-160848, 05-CB-160895, and 05-CB-160935. The charges in Cases 05-CA-160851 and 05-CA-160848 are identical; both alleging that Coastal Security violated Section 8(a)(5) and (1) of the National Labor Relations Act (the Act) by engaging in bad faith surface bargaining. The charges in Cases 05-CB-160895 and 05-CB-160935 are also identical; both alleging that International Union Security, Police and Fire Professionals of America (SPFPA) violated Section 8(b)(1)(A) of the Act by engaging in bad faith surface bargaining.

By letters dated September 29 and 30, 2015, you were advised that it is your responsibility to meet with the investigating Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. You were cautioned that your failure to present evidence promptly could result in your charges being dismissed without investigation. On September 29, 2015, the investigating Board agent attempted to contact you by telephone, and left a message asking you to contact him to schedule an affidavit. On October 1, 2015, the Board agent attempted to reach you by telephone and e-mail. None of these voice or e-mail messages were returned. Thereafter, by a letter dated October 6, 2015, you were notified by U.S. mail and e-mail that an appointment had been scheduled for you to appear at the Regional office for an affidavit on October 14, 2015. In that letter, you were again informed that any failure to provide your evidence by October 14 (or to reschedule your appointment before that date) may result in dismissal of your charges for lack of cooperation. You failed to appear for your appointment on October 14, and did not contact the Board agent to explain your absence. That same day, the investigating Board agent left another voicemail message asking you to contact him. You did not respond to that message, or

to any of the other messages he left for you. Based on your failure to cooperate in providing evidence to support your charges, further investigation is not warranted, and I am refusing to issue a complaint in these matters.

If you wish to re-file these charges later when you can cooperate in the investigation, you may do so. However, your attention is directed to Section 10(b) of the Act which provides that a charge must be filed with the NLRB and served on the charged party within six months of the conduct alleged to be unlawful.

**Your Right to Appeal:** You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at [www.nlr.gov](http://www.nlr.gov). However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect.

**Means of Filing:** An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax or email. To file an appeal electronically, go to the Agency's website at [www.nlr.gov](http://www.nlr.gov), click on **E-File Documents**, enter the **NLRB Case Number**, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street, S.E., Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

**Appeal Due Date:** The appeal is due on **November 6, 2015**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than November 5, 2015. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before November 6, 2015**. The request may be filed electronically through the **E-File Documents** link on our website [www.nlr.gov](http://www.nlr.gov), by fax to (202) 273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after November 6, 2015, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.



**Confidentiality:** We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

Enclosure: Appeal Form

cc: See Page Four

Coastal Security  
Cases 05-CA-160851, 05-CA-160848  
International Union Security, Police and  
Fire Professionals (Coastal Security)  
Cases 05-CB-160895 and 05-CB-160935

- 4 -

October 23, 2015

cc: Ms. Maureen Dolan  
Litigation Manager  
Akal Group  
7 Infinity Loop  
Espanola, NM 87532-6737

(b) (6), (b) (7)(C)  
International Union, Security, Police and  
Fire Professionals of America (SPFPA)  
25510 Kelly Road  
Roseville, MI 48066-4932

Michael J. Akins, Esq.  
Gregory, Moore, Jeakle & Brooks, P.C.  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226

Ms. Gail Heath  
Coastal International Security  
633 Indiana Avenue, N.W., Suite 105  
Washington, DC 20004

Mr. Henry Wolfe  
Coastal International Security  
6101 Fallard Drive  
Upper Marlboro, MD 20772

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
1015 Half Street SE  
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

---

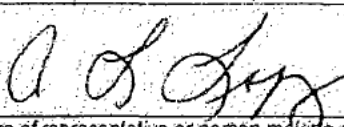
Case Name(s).

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Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

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*(Signature)*

UNITED STATES OF AMERICA		DO NOT WRITE IN THIS SPACE	
NATIONAL LABOR RELATIONS BOARD		Case	Date filed
CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS		05-CB-162827	10/26/2015
INSTRUCTIONS: File an original of this charge with the NLRB Regional Director of the region in which the alleged unfair labor practice occurred or is occurring.			
1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name United Security & Police Officers of America (USPOA)		b. Union Representative to Contact Assane Faye	
c. Address 1501 Manchester Street Toms River, NJ 08757		d. Tel. No. 732-408-5762	e. Cell No.
		f. Fax No.	g. e-Mail AssaneBa@aol.com
h. The above-named labor organization or its agents have engaged in and are engaging in unfair labor practices within the meaning of section 8(b), subsection(s) 3 of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)			
On June 4, 2015, the USPOA sent a representative with inadequate authority to negotiate a collective bargaining agreement, an ULP.			
On July 21, 2015, the USPOA refused to furnish information in support of their position regarding mandatory enrollment in the company sponsored medical plan, an ULP.			
On July 22, 2015, the USPOA changed articles in the CBA from tentative agreement to non-agreement, an ULP.			
3. Name of Employer North American Security		4a. Tel. No. (323) 634-1911	4b. Cell No.
		4c. Fax No.	4d. e-Mail a.lopez@nasecurityinc.com
5. Location of Plant involved (street, city, state, and ZIP code) 17101 Melford Blvd. Bowie MD 20715		6. Employer representative to contact Arthur Lopez, CEO	
7. Type of Establishment (factory, mine, wholesaler) Contractor	8. Principal product or service Security Services		9. Number of Workers employed 12+
10. Full name of party filing charge North American Security	11a. Tel. No. (323) 634-1911	11b. Cell No. (b) (6), (b) (7)(C)	
	11c. Fax No.	11d. e-Mail a.lopez@nasecurityinc.com	
11. Address of party filing charge (street, city, state, and ZIP code) 550 East Carson Plaza Dr. Suite 222 Carson, CA 90746			
12. DECLARATION			
I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.			
By: 	Arthur Lopez, CEO		Tel No. (323) 634-1911
(signature of representative or person making charge)	Print/type name and title or office, if any		Cell No. (b) (6), (b) (7)(C)
Address: 550 East Carson Plaza Dr. Carson, CA 90746	Date: 10-26-2015	Fax No.	
		e-Mail a.lopez@nasecurityinc.com	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

## PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

1-1439210492



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, SUITE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (410) 962-2822  
Fax: (410) 962-2198

November 30, 2015

Mr. Art Lopez  
North American Security, Inc.  
17101 Melford Boulevard  
Bowie, MD 20715

Re: United Security & Police Officers of  
America (USPOA) (North American  
Security)  
Case 05-CB-162827

Dear Mr. Lopez:

We have carefully investigated and considered your charge that United Security & Police Officers of America (USPOA) has violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have decided to dismiss your charge for the reasons discussed below.

The charge alleges United Police and Security Officers of America (USPOA) (the Union), violated Section 8(b)(3) of the Act by engaging in bad faith bargaining, by the following acts and conduct: (1) presenting a representative at the June 4, 2015 negotiation session, who held inadequate authority to negotiate a collective bargaining agreement; (2) refusing to furnish information requested in the course of bargaining on July 21, 2015; and (3) on July 22, 2015, making changes to articles tentatively agreed upon.

With regard to No. 1 above, the investigation revealed some dispute as to (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) representations about (b) (6), (b) (7)(C) level of authority during the latter portion of the June 4, 2015 negotiation session. However, any dispute about who served as the Union's authoritative representative was resolved shortly after the June 4 session when the Union, by Executive Director Assane Faye, repeatedly advised the Employer that (b) (6), (b) (7)(C) was the lead negotiator. Moreover, (b) (6), (b) (7)(C) participated telephonically in the June 4 session; and, the Employer admittedly negotiated with (b) (6), (b) (7)(C) in subsequent sessions.

With respect to No. 2, the evidence obtained during the investigation does not support a finding that the Union failed to provide information requested during the course of bargaining. Rather, the evidence shows that on June 29 or 30, 2015, the Employer requested that the Union provide it with documentation to support the Union's bargaining position regarding mandatory versus voluntary employer-provided health and welfare programs. On June 30, the Union provided the Employer with three pages of information. That same day, the Employer requested additional documentation; and, the Union advised the Employer there was no additional documentation to provide. Given that the Union provided the Employer with all of the

documents it relied upon to support its bargaining position, it fully complied with the Employer's request for information.

Finally, regarding No. 3, the investigation revealed the Union made some changes to articles tentatively agreed upon prior to July 23. While such conduct can be highly disruptive to bargaining, the Union's actions in the instant case do not represent a violation, as the parties were so far apart on three crucial mandatory subjects of bargaining that the changes made did not have a material and significant effect on the parties' negotiations. Moreover, following the Union's actions, the Employer issued, and then implemented, its last, best and final offer. Accordingly, the Union's conduct does not raise to the level of a violation of Section 8(b)(3).

For all of the foregoing reasons, further proceedings are not warranted, and I am refusing to issue complaint herein.

**Your Right to Appeal:** You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at [www.nlr.gov](http://www.nlr.gov). However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect.

**Means of Filing:** An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax or email. To file an appeal electronically, go to the Agency's website at [www.nlr.gov](http://www.nlr.gov), click on **E-File Documents**, enter the **NLRB Case Number**, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street, S.E., Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

**Appeal Due Date:** The appeal is due on **December 14, 2015**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than December 13, 2015. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before December 14, 2015**. The request may be filed electronically through the **E-File Documents** link on our website [www.nlr.gov](http://www.nlr.gov), by fax to



(202) 273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after December 14, 2015, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

**Confidentiality:** We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

Enclosure: Appeal form

cc: Mr. Assane B. Faye, President  
United Security & Police Officers of  
America (USPOA)  
1501 Manchester Street  
Toms River, NJ 08757  
  
Mr. Art Lopez, CEO  
North American Security  
550 East Carson Plaza Drive, Suite 222  
Carson, CA 90746

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
1015 Half Street SE  
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

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Case Name(s).

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Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

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*(Signature)*



UNITED STATES GOVERNMENT  
**NATIONAL LABOR RELATIONS BOARD**  
OFFICE OF THE GENERAL COUNSEL  
Washington, DC 20570

April 22, 2016

ART LOPEZ  
NORTH AMERICAN SECURITY, INC.  
17101 MELFORD BLVD  
BOWIE, MD 20715

Re: United Security & Police Officers of  
America (USPOA)  
(North American Security)  
Case 05-CB-162827

Dear Mr. Lopez:

This office has carefully considered the appeal from the Regional Director's refusal to issue complaint. We agree with the Regional Director's decision and deny the appeal for the following reasons:

North American Security, Inc. ("NAS") has charged the United Security & Police Officers of America (the "Union") with bad-faith bargaining in violation of Section 8(b)(3) of the National Labor Relations Act based on the following allegations: (1) the Union sent a representative to a June 4, 2015 bargaining session who lacked sufficient authority to negotiate a collective bargaining agreement; (2) the Union refused to furnish requested information on July 21, 2015, relevant to the Union's position on a company-sponsored medical plan; and (3) the Union withdrew tentative agreements as to a subset of contract terms on July 22, 2015.

The Regional Office's investigation established that no finding of bad faith is warranted on the basis of those allegations. With regard to the June 4, 2015 bargaining session, the evidence shows that a Union official with sufficient negotiating authority—(b) (6), (b) (7)(C)—attended by telephone. To the extent that substantive discussions continued between NAS and (b) (6), (b) (7)(C) after (b) (6), (b) (7)(C) hung up—premised on the Employer's reliance on alleged misrepresentations about (b) (6), (b) (7)(C) authority—the evidence shows that NAS's mistaken belief as to (b) (6), (b) (7)(C) authority was remedied less than two weeks later. In the meantime, (b) (6), (b) (7)(C) did not purport to enter any binding agreements on behalf of the Union. Under these circumstances, the Union's alleged conduct does not evince bad faith. *Cf. Health Care Services Group*, 331 NLRB 333 (2000) (bad faith established where employer's sole bargaining representative negotiated and purported to enter into tentative agreements over a nearly year-long period before the employer disclaimed the representative's authority). Absent bad faith, the adverse effects NAS complains of in its appeal do not change the proper disposition of this allegation.

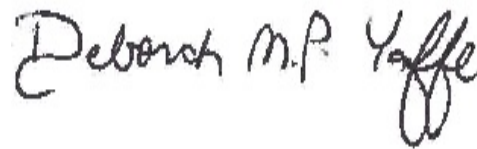
The allegation concerning NAS's information request was also properly dismissed because the evidence shows that the Union complied with the request in a timely manner weeks before July 21, 2015. Specifically, email records provided to the Region show that on June 29, 2015, NAS demanded that the Union disclose documents that the Union relied on to form its views on a dispute concerning an employer-sponsored medical benefits plan. The records also show that the Union complied with this request on June 30, 2015. In its appeal, NAS argues that the document disclosed was incomplete and irrelevant to the disputed issue. However, the investigation yielded no evidence that the Union possessed or relied upon any other documents. NAS's argument in essence implies that the documents disclosed did not justify the Union's bargaining position. However, that critique is irrelevant to whether the Union complied with the information request. The Union was under no obligation to affirmatively seek out documents that it neither possessed nor relied upon.

Finally, the Union's alleged withdrawal of tentative agreements does not evince bad faith in this case. The evidence suggests that the parties entered tentative agreements in an effort to meet an externally imposed bargaining deadline on July 21, 2015. However, the parties failed to reach a sufficiently complete agreement to meet the deadline, and thereafter the bargaining situation changed considerably. Under those circumstances, the Union had good cause to withdraw tentative agreements reached prior to the expiration of the deadline. Since good cause existed, the withdrawal does not evince bad faith. *See Leader Communications, Inc.*, 361 NLRB No. 28 (Aug. 20, 2014), reaff'g 359 NLRB No. 90 (April 10, 2013).

For the aforementioned reasons, further proceedings are unwarranted.

Sincerely,

Richard F. Griffin, Jr.  
General Counsel



By: \_\_\_\_\_

Deborah M.P. Yaffe, Director  
Office of Appeals

United Security & Police Officers of  
America (USPOA)  
(North American Security)  
Case 05-CB-162827

-3

cc: CHARLES L. POSNER  
REGIONAL DIRECTOR  
NATIONAL LABOR RELATIONS  
BOARD  
BANK OF AMERICA CENTER, TOWER II  
100 S CHARLES ST STE 600  
BALTIMORE, MD 21201

ART LOPEZ  
CHIEF EXECUTIVE OFFICER  
NORTH AMERICAN SECURITY, INC.  
550 E CARSON PLAZA DR STE 222  
CARSON, CA 90746

ASSANE B. FAYE, PRESIDENT  
UNITED SECURITY & POLICE  
OFFICERS OF AMERICA (USPOA)  
1501 MANCHESTER ST  
TOMS RIVER, NJ 08757

kf

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD		DO NOT WRITE IN THIS SPACE	
CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS		Case DS-CB-163756	Date filed 11/9/15
INSTRUCTIONS: File an original of this charge with the NLRB Regional Director of the region in which the alleged unfair labor practice occurred or is occurring.			
1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name Security, Police and Fire Professionals of America, Local 444		b. Union Representative to Contact Willie Jones Local President	
c. Address 75 E CHERRY ST STE 8A RAHWAY NJ 07065		d. Tel. No.	e. Cell No. (215)519-0298
		f. Fax No.	g. e-Mail
h. The above-named labor organization or its agents have engaged in and are engaging in unfair labor practices within the meaning of section 8(b), (1)(A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) Since about (b) (6), (b) (7)(C) 2015, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by refusing to process the grievance of (b) (6), (b) (7)(C) regarding (b) (6) termination for arbitrary or discriminatory reasons or in bad faith.			
3. Name of Employer Preeminent Protective Services Inc.		4a. Tel. No. (202) 496-1287	4b. Cell No.
		4c. Fax No.	4d. e-Mail
5. Location of Plant involved (street, city, state, and ZIP code) 1050 17th St NW, Ste 600, Washington, DC 20036-5517		6. Employer representative to contact Lenea Bell President	
7. Type of Establishment (factory, mine, wholesaler) Security Company	8. Principal product or service Security Services		9. Number of Workers employed 25
10. Full name of party filing charge (b) (6), (b) (7)(C)	11a. Tel. No. (b) (6), (b) (7)(C)	11b. Cell No.	
	11c. Fax No.	11d. e-Mail	
11. Address of party filing charge (street, city, state, and ZIP code) (b) (6), (b) (7)(C)			
12. DECLARATION			
I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.			
B (b) (6), (b) (7)(C) (signature of representative or person making charge)		(b) (6), (b) (7)(C) an individual Print/type name and title or office, if any	Tel No. (b) (6), (b) (7)(C)
Address: (b) (6), (b) (7)(C)		Date:	Cell No.
			Fax No.
			e-Mail

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes. (b) (6), (b) (7)(C)





UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, STE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (410)962-2822  
Fax: (410)962-2198

January 22, 2016

(b) (6), (b) (7)(C)

Re: Security, Police and Fire Professionals of  
America, Local 444 (Preeminent Protective  
Services, Inc.)  
Case 05-CB-163756

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that Security, Police and Fire Professionals of America, Local 444 has violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have decided to dismiss your charge because there is insufficient evidence to establish a violation of the Act.

**Your Right to Appeal:** You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at [www.nlr.gov](http://www.nlr.gov). However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect.

**Means of Filing:** An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax or email. To file an appeal electronically, go to the Agency's website at [www.nlr.gov](http://www.nlr.gov), click on **E-File Documents**, enter the **NLRB Case Number**, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

**Appeal Due Date:** The appeal is due on **February 5, 2016**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than February 4, 2016. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before February 5, 2016**. The request may be filed

January 22, 2016

electronically through the *E-File Documents* link on our website [www.nlr.gov](http://www.nlr.gov), by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after February 5, 2016, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

**Confidentiality:** We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

Enclosure: Appeal Form

cc: Mr. Willie Jones, President  
Security, Police and Fire Professionals of  
America, Local 444  
75 East Cherry St., Ste. 8A  
Rahway, NJ 07065

Michael J. Akins, Esq.  
Gregory, Moore, Jeakle, & Brooks, P.C.  
65 Cadillac Sq., Ste. 3727  
Detroit, MI 48226

Ms. Lenea Bell, President  
Preeminent Protective Services, Inc.  
1050 17<sup>th</sup> St., N.W., Ste. 600  
Washington, DC 20036-5517

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
1015 Half Street SE  
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

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Case Name(s).

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Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

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*(Signature)*

UNITED STATES OF AMERICA		DO NOT WRITE IN THIS SPACE	
NATIONAL LABOR RELATIONS BOARD		Case	Date filed
CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS		5-CB-166453	12.18.2015
INSTRUCTIONS: File an original of this charge with the NLRB Regional Director of the region in which the alleged unfair labor practice occurred or is occurring.			
1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name INTERNATIONAL UNION, SECURITY, POLICE AND FIRE PROFESSIONALS OF AMERICA (SPFPA)		b. Union Representative to Contact David Hickey President	
c. Address 25510 Kelly Rd, Roseville, MI 48066-4994		d. Tel. No. (586)772-7250	e. Cell No. (586)709-9563
		f. Fax No. (586)772-9644	g. e-Mail spfapres@aol.com
h. The above-named labor organization or its agents have engaged in and are engaging in unfair labor practices within the meaning of section 8(b), subsection (1)(A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)			
<p>Since about October 2015, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by failing and refusing to provide (b) (6), (b) (7)(C) and other unit employees with a copy of a collective-bargaining agreement (CBA) between the Employer and SPFPA, Local 464.</p> <p>Since about October 2015, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by unlawfully deducting dues from the paychecks of employees. Given the International's failure to provide a copy of the CBA, employees are not aware of their rights under the CBA and cannot verify the dues deductions are coming out of our paychecks lawfully. The dues authorization cards signed by the employees stated that dues shall not be collected until a CBA is formed or in place.</p>			
3. Name of Employer MVM, Inc.		4a. Tel. No.	4b. Cell No.
		4c. Fax No. (571)223-4474	4d. e-Mail mchalec@mvmvnc.com
5. Location of Plant involved (street, city, state, and ZIP code) 44620 Guilford Dr, Ste 150, Ashburn, VA 20147-6063		6. Employer representative to contact Christopher McHale General Counsel	
7. Type of Establishment (factory, mine, wholesaler) Federal Government Building	8. Principal product or service Security		9. Number of Workers employed 300
10. Full name of party filing charge (b) (6), (b) (7)(C)	11a. Tel. No.		11b. Cell No. (b) (6), (b) (7)(C)
	11c. Fax No.		11d. e-Mail (b) (6), (b) (7)(C)
11. Address of party filing charge (street, city, state, and ZIP code) (b) (6), (b) (7)(C)			
12. DECLARATION			
I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.			
By: (b) (6), (b) (7)(C)	(b) (6), (b) (7)(C) An Individual		Tel No.
(signature of representative or person making charge)	Print/type name and title or office, if any		Cell No. (b) (6), (b) (7)(C)
Address: (b) (6), (b) (7)(C)	Date: 12/18/2015	Fax No.	
		e-Mail (b) (6), (b) (7)(C)	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

(b) (6), (b) (7)(C)



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, STE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (410)962-2822  
Fax: (410)962-2198

March 10, 2016

Michael J. Akins, Esq.  
Gregory, Moore, Jeakle, & Brooks, P.C.  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226

Re: International Union, Security, Police and  
Fire Professionals of America (SPFPA)  
(MVM, Inc)  
Case 05-CB-166453

Dear Mr. Akins:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

cc: Mr. David L. Hickey  
International President  
International Union, Security, Police and  
Fire Professionals of America (SPFPA)  
25510 Kelly Road  
Roseville, MI 48066-4994

(b) (6), (b) (7)(C)

Christopher McHale, Esq.  
MVM, Inc.  
44620 Guilford Drive, Suite 150  
Ashburn, VA 20147-6063



**DO NOT WRITE IN THIS SPACE**

Case 5-CB-166455

Date Filed 12.21.2015

**INSTRUCTIONS:** File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT

<p>a. Name Security Police and Fire professionals of America</p>	<p>b. Union Representative to contact (b) (6), (b) (7)(C) Title: (b) (6), (b) (7)(C)</p>	
<p>c. Address (Street, city, state, and ZIP code)  25510 Kelly Rd Roseville MI 48066</p>	<p>d. Tel. No. (586) 772-7250</p>	<p>e. Cell No.</p>
	<p>f. Fax No. (586) 772-9644</p>	<p>g. e-Mail (b) (6), (b) (7)(C)</p>
<p>h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) (1)(A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.</p>		

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by refusing to process the Charging Party's grievance for arbitrary or discriminatory reasons or in bad faith.

See Attached Page 2 for additional Basis of Charge description

3. Name of Employer Frontline Security		4a. Tel. No. (301) 452-8595	b. Cell No.
		c. Fax No.	d. e-Mail jweich@frontline-security.net
5. Location of plant involved (street, city, state and ZIP code) 3107 Hubbard Rd Landover MD 20785		6. Employer representative to contact Judieth Welch Title: Director human resources	
7. Type of establishment (factory, mine, wholesaler, etc.) Security Systems & Services	8. Identify principal product or service protective security	9. Number of workers employed 55	
10. Full name of party filing charge (b) (6), (b) (7)(C)		11a. Tel. No. (b) (6), (b) (7)(C)	b. Cell No. (b) (6), (b) (7)(C)
		c. Fax No.	d. e-Mail (b) (6), (b) (7)(C)
11. Address of party filing charge (street, city, state and ZIP code.) (b) (6), (b) (7)(C)			

## 12. DECLARATION

**12. DECLARATION**  
I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.

By (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)  
(signature of representative or person making charge) (Print/type name and title or office, if any)

**Title:**

Address [REDACTED] (date) 12/21/2015 07:50:15

Tel. No. (b) (6), (b) (7)(C)

Cell No. (b) (6), (b) (7)(C)

Fax No. \_\_\_\_\_

e-Mail (b) (6), (b) (7)(C)

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**

## PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



**DO NOT WRITE IN THIS SPACE**

Case

Date Filed

Attachment

Names of the employee(s) affected:

(b) (6), (b) (7)(C)

Specific dates on which the Union's conduct occurred and/or the Union's Representative or Agent responsible for the conduct:

on (b) (6), (b) (7)(C)/2015 I filed a grievance claiming retaliation for union activities and Disparate treatment by Frontline Security with aforementioned union. SPFPA through there (b) (6), (b) (7)(C) (b) (6), (b) (7)(C), filed the step 2 grievance late claiming (b) (6) was on travel. Now the step 3 is now 4 days late which is strictly forbidden in the CBA for either side to miss dates for filing. This is allowing the company to say that the next grievance step was not filed in a timely manner and disregard it. This is a deliberate action on the Union's part.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, STE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (410)962-2822  
Fax: (410)962-2198

March 16, 2016

(b) (6), (b) (7)(C)

Re: International Union, Security, Police and  
Fire Professionals of America (SPFPA)  
(Frontline Security Services)  
Case 05-CB-166455

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that Security Police and Fire Professionals of America has violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have decided to dismiss your charge for the reasons discussed below.

On December 21, 2015, you filed a charge alleging that International Union, Security, Police and Fire Professionals of America (SPFPA) (Union) violated Section 8(b)(1)(A) of the National Labor Relations Act (the Act) by refusing to timely process your grievance for arbitrary or discriminatory reasons or in bad faith.

It is well established that a union breaches its duty of fair representation toward employees it represents when it engages in conduct affecting employment conditions which is arbitrary, discriminatory, or in bad faith. *Vaca v. Sipes*, 386 U.S. 171 (1967). Unions are afforded a "wide range of reasonableness" in serving the unit that it represents, *Ford Motor Co. v. Huffman*, 345 U.S. 330, 338 (1953), and they have discretion in determining whether grievances merit being processed. Mere negligence, poor judgment, or ineptitude on the part of the union is insufficient to establish a violation of its obligation to represent all unit employees fairly. *Local Union No. 195, Plumbers (Stone & Webster)*, 240 NLRB 504, 508 (1979). Negligent action or nonaction of a union in the processing of a grievance that results in the grievance being untimely, alone, does not constitute a breach in the duty of fair representation, absent evidence of animus. *General Truck Drivers, Chauffeurs & Helpers Union, Local No. 692 (Great Western Unifreight System)*, 209 NLRB 446, 448 (1974).

The investigation established that on (b) (6), (b) (7)(C) 2015, the Union filed a grievance over your (b) (6), (b) (7)(C) 2015, suspension. The Union advanced your grievance to step two on about (b) (6), (b) (7)(C) 2015, and step three on about (b) (6), (b) (7)(C) 2015. At the time you filed the charge and presented your evidence, you were unaware of the status of this grievance. However, the investigation disclosed that your grievance is still pending and being investigated by the Union, and that you were informed of this via email on or about February 10 and 17, 2016. Contrary to your assertion, the investigation showed the Employer has not raised timeliness arguments concerning the processing of the grievance. The investigation also showed that the Union moved your grievance to arbitration on (b) (6), (b) (7)(C) 2016. Thereafter, on (b) (6), (b) (7)(C) 2016, the Employer terminated your employment. Shortly after its action of terminating you, the Employer made its investigatory file available to the Union. Upon receipt, the Union decided to continue its investigation and consider further the merits of your grievance using this new information. The Board in *Glass Bottle Blowers Local No. 106 (Owens-Illinois, Inc.)*, stated that, “[w]here, as here, a union undertakes to process a grievance but decides to abandon the grievance short of arbitration, the finding of a violation turns not on the merit of the grievance but rather on whether the union's disposition of the grievance was perfunctory or motivated by ill will or other invidious considerations.” 240 NLRB 324 (1979). While the grievance in this case has not been abandoned, the Union has decided to revisit its decision to arbitrate. In this regard, the investigation lacked any evidence of animus on the part of the Union. The Union contends that it invoked arbitration as a means to keep the grievance timely. Upon receipt of the requested information from the Employer concerning the basis for its determination to suspend you, which the Union had sought since shortly after filing the grievance, the Employer granted the Union additional time to investigate the merits of the grievance. The investigation uncovered emails showing that the Union has communicated with you, since your termination, about the status of the grievance. Based on the foregoing, it cannot be established that the Union violated the Act as alleged in your charge, and I am refusing to issue complaint in this matter.

**Your Right to Appeal:** You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at [www.nlr.gov](http://www.nlr.gov). However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect.

**Means of Filing:** An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax or email. To file an appeal electronically, go to the Agency's website at [www.nlr.gov](http://www.nlr.gov), click on **E-File Documents**, enter the **NLRB Case Number**, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

**Appeal Due Date:** The appeal is due on **March 30, 2016**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than March 29, 2016. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before March 30, 2016**. The request may be filed electronically through the *E-File Documents* link on our website [www.nlr.gov](http://www.nlr.gov), by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after March 30, 2016, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

**Confidentiality:** We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

Enclosure

International Union, Security, Police and  
Fire Professionals of America (SPFPA)  
(Frontline Security Services)  
Case 05-CB-166455

- 4 -

March 16, 2016

cc: Gordon A. Gregory, Esq.,  
Gregory, Moore, Jeakle & Brooks, P.C.  
International Union, SPFPA  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226-2822

Angela Hart-Edwards, Esq.  
Gordon & Rees LLP  
1300 I St., N.W., Ste. 825  
Washington, D.C. 20005-3384

(b) (6), (b) (7)(C)

Security Police and Fire Professionals of  
America  
25510 Kelly Road  
Roseville, MI 48066-4932

Ms. Judieth Welch  
Director Human Resources  
Frontline Security  
3107 Hubbard Road  
Landover, MD 20785

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
1015 Half Street SE  
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

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Case Name(s).

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Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

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*(Signature)*



UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS**

**DO NOT WRITE IN THIS SPACE**

Case

05-CB-166813

Date Filed

12/23/2015

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

**1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT**

a. Name security, police, and Fire Professionals of America (SPFPA)		b. Union Representative to contact david I hickey Title: international president	
c. Address (Street, city, state, and ZIP code) 25510 Kelly Road, Roseville MI 48066		d. Tel. No. (586) 772-7250	e. Cell No.
		f. Fax No. (586) 772-9644	g. e-Mail spfapres@spfpa.org
h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) (1)(A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			

**2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)**

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by refusing to process the Charging Party's grievance for arbitrary or discriminatory reasons or in bad faith.

See Attached Page 2 for additional Basis of Charge description

3. Name of Employer coastal international security		4a. Tel. No. (505) 692-6622	b. Cell No.
		c. Fax No.	d. e-Mail swilliams@agc-services.com
5. Location of plant involved (street, city, state and ZIP code) Espanola, New Mexico Espanola NM 87532		6. Employer representative to contact sean p Williams Title: vice president	
7. Type of establishment (factory, mine, wholesaler, etc.) Others	8. Identify principal product or service	9. Number of workers employed 300	
10. Full name of party filing charge (b) (6), (b) (7)(C)		11a. Tel. No. (b) (6), (b) (7)(C)	b. Cell No. (b) (6), (b) (7)(C)
		c. Fax No.	d. e-Mail (b) (6), (b) (7)(C)
11. Address of party filing charge (street, city, state and ZIP code.) (b) (6), (b) (7)(C)			

**12. DECLARATION**

I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.

By (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)  
(signature of representative or person making charge) (Print/type name and title or office, if any)

Title:

(b) (6), (b) (7)(C)

Address (date) 12/28/2015 19:33:28

Tel. No. (b) (6), (b) (7)(C)
Cell No. (b) (6), (b) (7)(C)
Fax No.
e-Mail (b) (6), (b) (7)(C)

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**

**PRIVACY ACT STATEMENT**

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**DO NOT WRITE IN THIS SPACE**

Case

Date Filed

Attachment

Names of the employee(s) affected:

(b) (6), (b) (7)(C)

Specific dates on which the Union's conduct occurred and/or the Union's Representative or Agent responsible for the conduct:

(b) (6), (b) (7)(C)/2015

(b) (6), (b) (7)(C)

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD		DO NOT WRITE IN THIS SPACE	
<b>FIRST AMENDED CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS</b>		Case 05-CB-166813	Date filed 04/22/2016
INSTRUCTIONS: File an original of this charge with the NLRB Regional Director of the region in which the alleged unfair labor practice occurred or is occurring.			
1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name International Union, Security, Police and Fire Professionals of America (SPFPA) and its Amalgamated Local 287		b. Union Representative to Contact David L. Hickey International President  (b) (6), (b) (7)(C)	
c. Address  25510 Kelly Road, Roseville, MI 48066		d. Tel. No. Int'l: (586) 772-7250 Local: (240) 441 5953	e. Cell No.
		f. Fax No. (586) 772-9644	g. e-Mail spfpa@spfpa.org  (b) (6), (b) (7)(C)
h. The above-named labor organizations or their agents have engaged in and are engaging in unfair labor practices within the meaning of section 8(b)(1)(A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)			
Within the previous six months, the above-named labor organizations has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by refusing to process the Charging Party's grievance for arbitrary or discriminatory reasons or in bad faith.			
3. Name of Employer Coastal International Security		4a. Tel. No. 505 692 6622	4b. Cell No.
		4c. Fax No.	4d. e-Mail swilliams@agc-services.com
5. Location of Plant involved (street, city, state, and ZIP code) 7 Infinity Loop, Espanola, NM 87532		6. Employer representative to contact Sean P. Williams, Vice President	
7. Type of Establishment (factory, mine, wholesaler) Government Building	8. Principal product or service Security Services	9. Number of Workers employed 300	
10. Full name of party filing charge (b) (6), (b) (7)(C)	11a. Tel. No. (b) (6), (b) (7)(C)	11b. Cell No. (b) (6), (b) (7)(C)	
	11c. Fax No.	11d. e-Mail (b) (6), (b) (7)(C)	
11. Address of party filing charge (street, city, state, and ZIP code) (b) (6), (b) (7)(C)			
12. DECLARATION			
I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.			
By: (b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	Tel No.	
(signature)	Print/type name and title or office, if any	Cell No. (b) (6), (b) (7)(C)	
Address: (b) (6), (b) (7)(C)	Date: 4/21/2016	Fax No.	
		e-Mail (b) (6), (b) (7)(C)	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
 PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully

UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD  
SETTLEMENT AGREEMENT

**IN THE MATTER OF**

**International Union, Security, Police, and Fire Professionals of America    Case 05-CB-166813  
(SPFPA) and its Amalgamated Local 287 (Coastal International  
Security)**

Subject to the approval of the Regional Director for the National Labor Relations Board, the Charged Parties and the Charging Party **HEREBY AGREE TO SETTLE THE ABOVE MATTER AS FOLLOWS:**

**POSTING OF NOTICE** — After the Regional Director has approved this Agreement, the Regional Office will send copies of the approved Notice to the Charged Parties in English and in additional languages if the Regional Director decides that it is appropriate to do so. A responsible official of each Charged Party will then sign and date those Notices, and the Charged Parties will immediately post them at: (1) all places where the Charged Parties customarily post notices to employees or members at the Ronald Reagan Building and International Trade Center, located at 1300 Pennsylvania Ave., NW, Washington, DC 20004; and (2) their offices located at 25510 Kelly Road, Roseville, MI 48066. The Charged Parties will keep all Notices posted for 60 consecutive days after the initial posting. Additionally, the Regional Director will send copies of the signed Notices to Coastal International Security, Inc. (“the Employer”), the employer whose employees are involved in this case, and request that the Notices be posted in prominent places in the Employer's facility at the Ronald Reagan Building and International Trade Center, located at 1300 Pennsylvania Avenue, NW, Washington, DC 20004, for 60 consecutive days from the date of posting.

**E-MAILING NOTICE** — The Charged Parties will email a copy of the signed Notice in English and in additional languages if the Regional Director decides that it is appropriate to do so, to all bargaining-unit employees who have worked at the Ronald Reagan Building and International Trade Center at any time since July 1, 2015. The message of the e-mail transmitted with the Notice will state: “We are distributing the Attached Notice to Employees and Members to you pursuant to a Settlement Agreement approved by the Regional Director of Region 5 of the National Labor Relations Board in Case 05-CB-166813.” The Charged Parties will forward a copy of that e-mail, with all of the recipients’ e-mail addresses, to the Region’s Compliance Officer at [heather.keough@nrlrb.gov](mailto:heather.keough@nrlrb.gov).

**BACKPAY** — The Charged Parties will make whole the employee named below by payment to her of the amounts listed opposite her name. All components of backpay have been calculated through September 30, 2016, and may continue to accrue past that date until this matter is resolved.

<i>Employee</i>	<i>Wages</i>	<i>Cash Benefits</i>	<i>Interest</i>	<i>Excess Tax</i>	<i>Total</i>
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)

However, in consideration of the mutual promises in this Agreement, including the Charged Parties’ agreement to fully comply with the terms of this Agreement and Notice, and in the interest of achieving a prompt resolution to this matter, the Regional Director and the Charging Party agree to accept eighty percent (80%) of the amounts identified above, which will be paid within 14 days from notification to the Charged Parties that the Regional Director has approved this Agreement, or that the General Counsel has sustained the Regional Director’s decision to approve this Agreement if the Charging Party objects to its approval. The 80% amounts are:

<i>Employee</i>	<i>Wages</i>	<i>Cash Benefits</i>	<i>Interest</i>	<i>Excess Tax</i>	<i>Total</i>
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)

The payments made under this Agreement shall be sent for disbursement to the Compliance Officer, National Labor Relations Board, Region 5, Bank of America Center, Tower II, 100 S. Charles Street, Suite 600, Baltimore, Maryland 21201.

**RECOUPMENT OF BACKPAY** — In the event that the Charging Party receives compensation as part of any remedy for the grievance concerning her suspension and discharge by the Employer, the Charged Parties may recoup some or all of the backpay paid under this Agreement but only to the extent described herein.

- Each component of backpay paid under this Agreement (i.e. wages, cash benefits, interest, excess tax) may only be offset only by comparable components of backpay due under an arbitration award or grievance settlement (“Award”) resulting from the grievance concerning the Charging Party’s suspension and discharge by the Employer.
- The Award shall be divided by the amount of backpay the Employer would have owed to the Charging Party as if the General Counsel had determined her suspension and discharge were unlawful (“Gross Backpay”) to determine the ratio between the two amounts (“the Ratio”).
- Gross Backpay shall be determined by the Regional Director at the time the Charging Parties request to recoup backpay.
- The Charged Parties may recoup from the Award the amount of each component of backpay paid to the Charging Party under this Agreement multiplied by the Ratio, and up to the amounts actually paid to the Charging Party under this Agreement.
  - Example:
    - Gross Backpay = \$100,000 wages and \$1,000 interest; Award = \$90,000 wages and \$0 interest; Amounts paid under this Agreement = \$36,000 wages and \$970 interest.
    - Ratio = 0.90 for wages ( $\$90,000 / \$100,000$ ) and 0.0 for interest ( $\$0 / \$1,000$ )
    - Recoupment = \$32,400 for wages ( $\$36,000 * 0.90$ ) and \$0 for interest ( $\$0.00 * 0$ )
    - Total Net Paid to Charging Party = \$93,600 for wages ( $\$93,600 = \$90,000 - \$32,400 + \$36,000$ ) and \$970 interest.
- Under no circumstances will the Charged Parties recoup more than the amounts actually paid to the Charging Party under this Agreement. Any portion of the Award not recouped by the Charging Parties as described herein shall be disbursed to the Charging Party (less any applicable withholdings for federal or state taxes).

**COMPLIANCE WITH NOTICE** — The Charged Parties will comply with all the terms and provisions of said Notice.

**SCOPE OF THE AGREEMENT** — This Agreement settles only the allegations in the above-captioned case, including all allegations covered by the attached Notice to Employees and Members made part of this Agreement, and does not settle any other cases or matters. It does not prevent persons from filing charges, the General Counsel from prosecuting complaints, or the Board and the courts from finding violations with respect to matters that happened before this Agreement was approved regardless of whether General Counsel knew of those matters or could have easily found them out. The General Counsel reserves the right to use the evidence obtained in the investigation and prosecution of the above-captioned case for any relevant purpose in the litigation of this or any other cases, and a judge, the Board and the courts may make findings of fact and/or conclusions of law with respect to said evidence.



**ADMISSIONS** — By entering into this Agreement, the Charged Parties each admit that:

(1) they are labor organizations within the meaning of Section 2(5) of the National Labor Relations Act (the Act);

(2) the National Labor Relations Board has jurisdiction over them and the dispute underlying the charge in this matter, and that at all material times, the Employer has been an employer engaged in commerce within the meaning of Section 2(2), (6), and (7) of the Act;

(3) at all times since July 1, 2015, by virtue of Section 9(a) of the Act, the Charged Parties jointly have been the exclusive collective-bargaining representative of the following employees of the Employer, which is an appropriate unit for the purposes of collective bargaining:

All Security Officer Employees within the unit working at the Ronald Reagan Building and International Trade Center in Washington DC, excluding all other employees including Sergeants, Lieutenants, Captains, office clerical employees and professional employees as defined in the National Labor Relations Act;

(4) at all times since July 1, 2015, the Charged Parties and the Employer have maintained a collective-bargaining agreement covering the terms and conditions of employment of the above-described bargaining unit, including a grievance and arbitration procedure;

(5) on or about (b) (6), (b) (7)(C) 2015, the Charged Parties filed a grievance on behalf of bargaining-unit employee (b) (6), (b) (7)(C) concerning (b) (6), (b) (7)(C) suspension and discharge under provisions of the above-described collective-bargaining agreement; and

(6) the Charged Parties have processed the above-described grievance in an arbitrary and perfunctory manner, in breach of its duty of fair representation owed to (b) (6), (b) (7)(C), and thereby restraining and coercing employees in the above-described bargaining unit in violation of Section 8(b)(1)(A) of the Act.

**PARTIES TO THE AGREEMENT** — If the Charging Party fails or refuses to become a party to this Agreement and the Regional Director determines that it will promote the policies of the National Labor Relations Act, the Regional Director may approve this Settlement Agreement and decline to issue or reissue a Complaint in this matter. If that occurs, this Agreement shall be between the Charged Parties and the undersigned Regional Director. In that case, the Charging Party may request review of the decision to approve this Agreement. If the General Counsel does not sustain the Regional Director's approval, this Agreement shall be null and void.

**AUTHORIZATION TO PROVIDE COMPLIANCE INFORMATION AND NOTICES DIRECTLY TO CHARGED PARTIES** — Counsel for the Charged Parties authorizes the Regional Office to forward the cover letter describing the general expectations and instructions to achieve compliance, a conformed settlement, original notices and a certification of posting directly to the Charged Parties. If such authorization is granted, Counsel will be simultaneously served with a courtesy copy of these documents.

International Union, Security, Police and Fire Professionals of America (SPFPA)

Yes                      No                       
Initials Initials

International Union, Security, Police and Fire Professionals of America (SPFPA), Local 287

Yes \_\_\_\_\_ No \_\_\_\_\_  
Initials Initials

**PERFORMANCE** — Performance by the Charged Parties with the terms and provisions of this Agreement shall commence immediately after the Agreement is approved by the Regional Director, or if the Charging Party does not enter into this Agreement, performance shall commence immediately upon receipt by the



Charged Parties of notice that no review has been requested or that the General Counsel has sustained the Regional Director.

The Charged Parties agree that in case of non-compliance with any of the terms of this Settlement Agreement by the Charged Parties, and after 14 days' notice from the Regional Director of the National Labor Relations Board of such non-compliance without remedy by the Charged Parties, the Regional Director will issue a Complaint that includes the allegations covered by the Notice to Employees and Members, as identified above in the Scope of Agreement section, as well as filing and service of the charge, commerce facts necessary to establish Board jurisdiction, labor organization status, appropriate bargaining unit (if applicable), and any other allegations the General Counsel would ordinarily plead to establish the unfair labor practices. Thereafter, the General Counsel may file a Motion for Default Judgment with the Board on the allegations of the Complaint. The Charged Parties understand and agree that all of the allegations of the Complaint will be deemed admitted and that they will have waived their right to file an Answer to such Complaint. The only issue that the Charged Parties may raise before the Board will be whether they defaulted on the terms of this Settlement Agreement. The General Counsel may seek, and the Board may impose, a full remedy for each unfair labor practice identified in the Notice to Employees and Members. The Board may then, without necessity of trial or any other proceeding, find all allegations of the Complaint to be true and make findings of fact and conclusions of law consistent with those allegations adverse to the Charged Parties on all issues raised by the pleadings. The Board may then issue an Order providing a full remedy for the violations found as is appropriate to remedy such violations. The parties further agree that a U.S. Court of Appeals Judgment may be entered enforcing the Board Order ex parte, after service or attempted service upon the Charged Parties at their last addresses provided to the General Counsel.

**NOTIFICATION OF COMPLIANCE** — Each party to this Agreement will notify the Regional Director in writing what steps the Charged Parties have taken to comply with the Agreement. This notification shall be given within 5 days, and again after 60 days, from the date of the approval of this Agreement. If the Charging Party does not enter into this Agreement, initial notice shall be given within 5 days after notification from the Regional Director that the Charging Party did not request review or that the General Counsel sustained the Regional Director's approval of this Agreement. No further action shall be taken in the above-captioned case provided that the Charged Parties comply with the terms and conditions of this Settlement Agreement and Notice.

<b>Charged Party</b> <b>International Union, Security, Police and Fire Professionals of America (SPFPA)</b>		<b>Charging Party</b> <b>(b) (6), (b) (7)(C)</b>	
By: _____ Name and Title /s/ (b) (6), (b) (7)(C) [REDACTED]	Date 10/12/16	By: _____ Name and Title /s/ (b) (6), (b) (7)(C)	Date 10/17/2016
<b>Charged Party</b> <b>International Union, Security, Police and Fire Professionals of America (SPFPA), Local 287</b>			
By: _____ Name and Title /s/ (b) (6), (b) (7)(C) [REDACTED]	Date 10/12/16		
Recommended By: /s/ G. Alexander Robertson	Date 10/17/16	Approved By: /s/ Charles L. Posner Regional Director, Region	Date 10/21/16

(To be printed and posted on official Board notice form)

**FEDERAL LAW GIVES YOU THE RIGHT TO:**

- Form, join, or assist a union;
- Choose a representative to bargain with your employer on your behalf;
- Act together with other employees for your benefit and protection;
- Choose not to engage in any of these protected activities.

**WE WILL NOT** breach our duty of fair representation owed to you by processing grievances in an arbitrary or perfunctory manner.

**WE WILL** promptly pursue (b) (6), (b) (7)(C) grievance through the remaining stages of the grievance procedure provided for in our collective bargaining agreement with Coastal International Security, including arbitration, in good faith and with all due diligence.

**WE WILL** make (b) (6), (b) (7)(C) whole, with interest, for any loss of earnings and other benefits suffered as a result of our arbitrary and perfunctory processing of a grievance concerning (b) (6), (b) (7)(C) suspension and termination, less any interim earnings.

**WE WILL** compensate (b) (6), (b) (7)(C) for the adverse tax consequences, if any, of receiving a lump-sum backpay award, and **WE WILL** file with the Regional Director for Region 5, within 14 days, a report allocating the backpay award to the appropriate calendar years.

**WE WILL NOT** in any like or related manner restrain or coerce you in the exercise of your rights under Section 7 of the Act.

**International Union, Security, Police, and Fire  
Professionals of America (SPFPA)**  
\_\_\_\_\_  
(Labor Organization)

**Dated:** \_\_\_\_\_ **By:** \_\_\_\_\_  
(Representative) (Title)

**International Union, Security, Police, and Fire  
Professionals of America (SPFPA), Local 287**  
\_\_\_\_\_  
(Labor Organization)

**Dated:** \_\_\_\_\_ **By:** \_\_\_\_\_  
(Representative) (Title)

---

*The National Labor Relations Board is an independent Federal agency created in 1935 to enforce the National Labor Relations Act. We conduct secret-ballot elections to determine whether employees want union representation and we investigate and remedy unfair labor practices by employers and unions. To find out more about your rights under the Act and how to file a charge or election petition, you may speak confidentially to any agent with the Board's Regional Office set forth below or you may call the Board's toll-free number 1-866-667-NLRB (1-866-667-6572). Hearing impaired persons may contact the Agency's TTY service at 1-866-315-NLRB. You may also obtain information from the Board's website: [www.nlr.gov](http://www.nlr.gov).*

BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, SUITE 600  
BALTIMORE, MD 21201

**Telephone:** (410) 962-2822  
**Hours of Operation:** 8:15 a.m. to 4:45 p.m.

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**THIS IS AN OFFICIAL NOTICE AND MUST NOT BE DEFACED BY ANYONE**

This notice must remain posted for 60 consecutive days from the date of posting and must not be altered, defaced or covered by any other material. Any questions concerning this notice or compliance with its provisions may be directed to the above Regional Office's Compliance Officer.



UNITED STATES GOVERNMENT  
**NATIONAL LABOR RELATIONS BOARD**  
REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, STE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (410)962-2822  
Fax: (410)962-2198

November 1, 2018

Matthew J. Clark, Attorney  
Gregory, Moore, Jeakle & Brooks, P.C.  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226-2893

Re: International Union, Security, Police, and  
Fire Professionals of America (SPFPA) and  
its Amalgamated Local 287 (Coastal  
International Security)  
Case 05-CB-166813

Dear Mr. Clark:

The above-captioned case has been closed on compliance. Please note that the closing is conditioned upon continued observance of the informal Settlement Agreement.

Very truly yours,

*/s/ Nancy Wilson*

Nancy Wilson  
Acting Regional Director

cc: David Hickey, President  
International Union, Security, Police And Fire  
Professionals Of America (SPFPA)  
25510 Kelly Rd  
Roseville, MI 48066-4994

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

International Union, Security, Police And Fire  
Professionals Of America (SPFPA) Local 287  
25510 Kelly Rd  
Roseville, MI 48066-4994

Siri Chand Khalsa, Esq.  
AGC Counsel  
7 Infinity Loop  
Espanola, NM 87532-6737

FORM NLRB-508  
(11-10)UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS**

FORM EXEMPT UNDER 44 U.S.C. 3512

**DO NOT WRITE IN THIS SPACE**

Case 05-CB-167065	Date Filed 12/31/15
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**INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.****1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT**

a. Name International Union, Security, Police & Fire Professionals and its Local Union 463	b. Union Representative to contact (b) (6), (b) (7)(C)	
c. Address (street, city, state and ZIP code) 25510 Kelly Road Roseville, MI 48066	d. Tel. No. (586) 772-7250	e. Cell No.
	f. Fax No. (586) 772-9644	g. e-Mail (b) (6), (b) (7)(C)
h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (1)(A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.		

**2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)**

During the past six months, the above-named labor organization, by its officers, agents, and representatives, has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by requesting the above-named Employer to take disciplinary action against unit employee (b) (6), (b) (7)(C) for arbitrary or discriminatory reasons or in bad faith.

3. Name of Employer Coastal International Security, Inc.	4a. Tel. No. (703) 339-0233	b. Cell No.
	c. Fax No.	d. e-Mail

5. Location of plant involved (street, city, state and ZIP code) Department of Veterans Affairs 425 Eye Street NW Washington DC 20001	6. Employer representative to contact Darrin Thompson, Project Manager
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7. Type of establishment (factory, mine, wholesaler, etc.) Security	8. Identify principal product or service Security services	9. Number of workers employed About 10
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10. Full name of party filing charge (b) (6), (b) (7)(C) an individual	11 a. Tel. No. (b) (6), (b) (7)(C)	b. Cell No.
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11. Address of party filing charge (street, city, state and ZIP code) (b) (6), (b) (7)(C)	c. Fax No.	d. e-Mail (b) (6), (b) (7)(C)
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12. DECLARATION I declare that (b) (6), (b) (7)(C) that the statements are true to the best of my knowledge and belief. By (b) (6), (b) (7)(C) an individual (signature of person making charge) (title or office, if any) (b) (6), (b) (7)(C) Date 12/31/15		Tel. No. (b) (6), (b) (7)(C) Cell No. Fax No. e-Mail (b) (6), (b) (7)(C)
Address		

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)****PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. §151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, STE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (410)962-2822  
Fax: (410)962-2198

March 16, 2016

(b) (6), (b) (7)(C)

Re: International Union, Security, Police & Fire  
Professionals and its Local Union 463  
(Coastal International Security, Inc.)  
Case 05-CB-167065

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that International Union, Security, Police & Fire Professionals and its Local Union 463 has violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have decided to dismiss your charge because there is insufficient evidence to establish a violation of the Act.

**Your Right to Appeal:** You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at [www.nlrb.gov](http://www.nlrb.gov). However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect.

**Means of Filing:** An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax or email. To file an appeal electronically, go to the Agency's website at [www.nlrb.gov](http://www.nlrb.gov), click on **E-File Documents**, enter the **NLRB Case Number**, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

**Appeal Due Date:** The appeal is due on **March 30, 2016**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than March 29, 2016. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.



March 16, 2016

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before March 30, 2016**. The request may be filed electronically through the *E-File Documents* link on our website [www.nlr.gov](http://www.nlr.gov), by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after March 30, 2016, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

**Confidentiality:** We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

Enclosure

cc: Gordon A. Gregory, Esq.  
Gregory, Moore, Jeakle & Brooks, P.C.  
65 Cadillac Sq., Ste. 3727  
Detroit, MI 48226-2893

Dion Y. Kohler, Esq.  
Jackson Lewis, P.C.  
1155 Peachtree St., N.E., Suite 1000  
Atlanta, GA 30309-3600

(b) (6), (b) (7)(C)

International Union, Security, Police & Fire  
Professionals and its Local Union 463  
25510 Kelly Rd.  
Roseville, MI 48066-4994

Mr. Darrin Thompson  
Project Manager  
Coastal International Security, Inc.  
Dept. of Veterans Affairs  
425 I St., N.W.  
Washington, D.C. 20001

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
1015 Half Street SE  
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

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Case Name(s).

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Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

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*(Signature)*

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS

DO NOT WRITE IN THIS SPACE

Case **05-CB-167950** Date Filed **01/19/2016**

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT

a. Name Security, Police and Fire Workers of America, Local 441	b. Union Representative to contact <b>(b) (6), (b) (7)(C)</b>	
c. Address (Street, city, state, and ZIP code) 25510 Kelly Road Roseville, MI 48066	d. Tel. No. 586-772-7250 <b>(b) (6), (b) (7)(C)</b>	e. Cell No. <b>(b) (6), (b) (7)(C)</b>
	f. Fax No. 586 772-9644	g. e-Mail <b>(b) (6), (b) (7)(C)</b>
h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) <u>1(A)</u> of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.		

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)  
Since about **(b) (6), (b) (7)(C)** 2015, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by refusing to process the grievance of **(b) (6), (b) (7)(C)** regarding **(b) (6), (b) (7)(C)** suspension for arbitrary or discriminatory reasons or in bad faith.

3. Name of Employer Paragon Systems Inc	4a. Tel. No. 703 263-7176	b. Cell No.
	c. Fax No.	d. e-Mail lhagan@parasys.com
5. Location of plant involved (street, city, state and ZIP code) 13655 Dulles Technology Drive Suite 100 Herndon, VA 20171		6. Employer representative to contact Laura Hagan
7. Type of establishment (factory, mine, wholesaler, etc.) Security Contractor	8. Identify principal product or service Security Services	9. Number of workers employed 150

10. Full name of party filing charge <b>(b) (6), (b) (7)(C)</b>	11a. Tel. No. <b>(b) (6), (b) (7)(C)</b>	b. Cell No.
	c. Fax No.	d. e-Mail <b>(b) (6), (b) (7)(C)</b>

**(b) (6), (b) (7)(C)**

d ZIP code.)

**(b) (6), (b) (7)(C)**

ATION  
therein are true to the best of my knowledge and belief.

An Individual

e) (Print/type name and title or office, if any)

Tel. No. **(b) (6), (b) (7)(C)**

Cell No.

Fax No.

e-Mail **(b) (6), (b) (7)(C)**

**(b) (6), (b) (7)(C)**

Address (date) **01.12.16**

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, SUITE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (410) 962-2822  
Fax: (410) 962-2198

February 22, 2016

Gordon A. Gregory, Esq.  
Matt Clark, Esq.  
Gregory, Moore, Jeakle & Brooks, P.C.  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226-2893

Re: Security, Police and Fire Workers of  
America, Local 441 (Paragon Systems,  
Inc.)  
Case 05-CB-167950

Dear Mr. Gregory and Mr. Clark:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

cc: (b) (6), (b) (7)(C)  
Security, Police, and Fire  
Workers of America, Local 441  
25510 Kelly Road  
Roseville, MI 48066-4932

Ms. Laura Hagan  
Paragon Systems, Inc.  
13655 Dulles Technology Drive  
Suite 100  
Herndon, VA 20171-4634

(b) (6), (b) (7)(C)

[REDACTED]

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD		DO NOT WRITE IN THIS SPACE	
CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS		Case 05-CB-169144	Date filed 02/04/2016
INSTRUCTIONS: File an original of this charge with the NLRB Regional Director of the region in which the alleged unfair labor practice occurred or is occurring.			
1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name International Union, Security, Police and Fire Professionals of America (SPFPA), Local 555 (MVM, Inc.)		b. Union Representative to Contact Gloria Scott, Local President	
c. Address 2701 West Patapsco Avenue, Baltimore, MD 21230		d. Tel. No. (410)646-3005	e. Cell No.
		f. Fax No. (410)646-5033	g. e-Mail gscott108@outlook.com
h. The above-named labor organization or its agents have engaged in and are engaging in unfair labor practices within the meaning of section 8(b), subsections (1)(A) and (2) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)			
<p>Since about (b) (6), (b) (7)(C) 2015, the above-named labor organization has caused or attempted to cause MVM, Inc. to discriminate against (b) (6), (b) (7)(C) in order to retaliate against that employee for protesting the union's policies, questioning the official conduct of union agents, and/or incurring the personal hostility of a union official. It is specifically alleged that the labor organization informed the Employer that (b) (6), (b) (7)(C) was engaged in UD petition related activity while on company time and that the labor organization also informed employees of (b) (6), (b) (7)(C) alleged activity during an (b) (6), (b) (7)(C) 2015, membership meeting, with the purpose of encouragement or discouragement of union membership accomplished by discrimination.</p>			

3. Name of Employer MVM, Inc. 44620 Guilford Drive, Suite 150 Ashburn, VA 20147-6063		4a. Tel. No. (571) 223-4500	4b. Cell No.
		4c. Fax No. (571) 223-4474	4d. e-Mail michaielelliott@mvm-inc.com
5. Location of Plant involved (street, city, state, and ZIP code) SSA Headquarters, 6401 Security BLVD, Baltimore, MD 21207		6. Employer representative to contact Michael Elliott, Director of Human Resources	
7. Type of Establishment (factory, mine, wholesaler) Federal Government Building	8. Principal product or service Security	9. Number of Workers employed 400	
10. Full name of party filing charge (b) (6), (b) (7)(C)		11a. Tel. No. (b) (6), (b) (7)(C)	11b. Cell No. (b) (6), (b) (7)(C)
		11c. Fax No. (b) (6), (b) (7)(C)	11d. e-Mail (b) (6), (b) (7)(C)
11. Address of party filing charge (street, city, state, and ZIP code) (b) (6), (b) (7)(C)			
12. DECLARATION			
I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.			
(b) (6), (b) (7)(C)		Tel. No.	
(b) (6), (b) (7)(C)		(b) (6), (b) (7)(C)	
(b) (6), (b) (7)(C)		Cell No. (b) (6), (b) (7)(C)	
Address: (b) (6), (b) (7)(C)		Date: 1/30/16	
		Fax No. (b) (6), (b) (7)(C)	
		e-Mail (b) (6), (b) (7)(C)	

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

(b) (6), (b) (7)(C)





UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, SUITE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (410) 962-2822  
Fax: (410) 962-2198

April 21, 2016

(b) (6), (b) (7)(C)

Re: International Union, Security, Police and  
Fire Professionals of America (SPFPA),  
Local 555 (MVM, Inc.)  
Case 05-CB-169144

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that International Union, Security, Police and Fire Professionals of America (SPFPA), Local 555 has violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have decided to dismiss your charge because there is insufficient evidence to establish a violation of the Act.

**Your Right to Appeal:** You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at [www.nlrb.gov](http://www.nlrb.gov). However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect.

**Means of Filing:** An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax or email. To file an appeal electronically, go to the Agency's website at [www.nlrb.gov](http://www.nlrb.gov), click on **E-File Documents**, enter the **NLRB Case Number**, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street, S.E., Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

**Appeal Due Date:** The appeal is due on **May 5, 2016**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than May 4, 2016. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.



**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before May 5, 2016**. The request may be filed electronically through the ***E-File Documents*** link on our website [www.nlr.gov](http://www.nlr.gov), by fax to (202) 273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after May 5, 2016, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

**Confidentiality:** We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

Enclosure: Appeal Form

cc: Ms. Gloria Scott, President  
International Union, Security, Police and  
Fire Professionals of America (SPFPA),  
Local 555  
2701 West Patapsco Avenue  
Baltimore, MD 21230

Gordon A. Gregory, Esq.  
Gregory, Moore, Jeakle & Brooks, P.C.  
International Union, SPFPA  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226-2822

Mr. Michael Elliott  
Director of Human Resources  
MVM, Inc.  
44620 Guilford Drive, Suite 150  
Ashburn, VA 20147

Mr. Michael Elliott  
Director of Human Resources  
MVM, Inc.  
SSA Headquarters  
6401 Security Boulevard  
Baltimore, MD 21207

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
1015 Half Street SE  
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

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Case Name(s).

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Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

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*(Signature)*

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD		DO NOT WRITE IN THIS SPACE	
CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS		Case	Date filed
		05-CA-170122	2/19/14
INSTRUCTIONS: File an original of this charge with the NLRB Regional Director of the region in which the alleged unfair labor practice occurred or is occurring.			
1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name International Union, Security, Police and Fire Professionals of America		b. Union Representative to Contact (b) (6), (b) (7)(C)	
c. Address 25510 Kelly Rd, Roseville, MI 48066-4994		d. Tel. No. (815)546-8951	e.e. Cell No.
		f. Fax No.	g. e-Mail (b) (6), (b) (7)(C)
h. The above-named labor organization or its agents have engaged in and are engaging in unfair labor practices within the meaning of section 8(b), subsection(s) 1(A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) Since about (b) (6), (b) (7)(C) 2015, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by refusing to process the grievance of (b) (6), (b) (7)(C) regarding (b) (6), (b) (7)(C) suspension for allegedly sleeping on post for arbitrary or discriminatory reasons or in bad faith.			
3. Name of Employer Paragon Systems, Inc.		4a. Tel. No. (865)266-0383	4b. Cell No. (865)266-0383
		4c. Fax No. (703)578-1576	4d. e-Mail lhagan@parasys.com
5. Location of Plant involved (street, city, state, and ZIP code) 13655 Dulles Technology Dr, Ste 100, Hemdon, VA 20171-4634		6. Employer representative to contact Laura Hagan Vice President, General Counsel	
7. Type of Establishment (factory, mine, wholesaler) Government Contractor	8. Principal product or service Security		9. Number of Workers employed 150
10. Full name of party filing charge (b) (6), (b) (7)(C)		11a. Tel. No. (b) (6), (b) (7)(C)	11b. Cell No.
		11c. Fax No.	11d e-Mail (b) (6), (b) (7)(C)
11. Address of party filing charge (street, city, state, and ZIP code) (b) (6), (b) (7)(C)			
12. DECLARATION			
I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.			
By (b) (6), (b) (7)(C)			Tel No.
(Signature)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	
		Print/type name and title or office, if any	Cell No.
Address: (b) (6), (b) (7)(C)		Date: 2-18-16	Fax No.
			e-Mail (b) (6), (b) (7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

(b) (6), (b) (7)(C)



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, STE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (410)962-2822  
Fax: (410)962-2198

May 31, 2016

(b) (6), (b) (7)(C)

Re: International Union, Security, Police and  
Fire Professionals (Paragon Systems, Inc.)  
Case 05-CB-170122

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that International Union, Security, Police, and Fire Professionals of America (SPFPA) and its Amalgamated Local 287 has violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have decided to dismiss your charge because there is insufficient evidence to establish a violation of the Act.

**Your Right to Appeal:** You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at [www.nlrb.gov](http://www.nlrb.gov). However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect.

**Means of Filing:** An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax or email. To file an appeal electronically, go to the Agency's website at [www.nlrb.gov](http://www.nlrb.gov), click on **E-File Documents**, enter the **NLRB Case Number**, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

**Appeal Due Date:** The appeal is due on **June 14, 2016**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than June 13, 2016. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

May 31, 2016

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before June 14, 2016**. The request may be filed electronically through the *E-File Documents* link on our website [www.nlr.gov](http://www.nlr.gov), by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after June 14, 2016, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

**Confidentiality:** We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

Enclosure: Appeal Form

cc: (b) (6), (b) (7)(C)  
International Union, Security, Police and  
Fire Professionals of America  
25510 Kelly Drive  
Roseville, MI 48066

Matthew Clark, Esq.  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226

Ms. Laura Hagan, Esq., Vice President  
Paragon Systems, Inc.  
13655 Dulles Technology Drive  
Suite 100  
Herndon, VA 20171-4634

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
1015 Half Street SE  
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

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Case Name(s).

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Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

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*(Signature)*



UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD		DO NOT WRITE IN THIS SPACE	
<b>CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS</b>		Case 05-CB-170364	Date filed 02/24/2016
INSTRUCTIONS: File an original of this charge with the NLRB Regional Director of the region in which the alleged unfair labor practice occurred or is occurring.			
1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name International Union, Security, Police and Fire Professionals of America (SPFPA)		b. Union Representative to Contact David Hickey, President	
c. Address 25510 Kelly Road Roseville, MI 48066		d. Tel. No. (586) 772-7250	e. Cell No. (586) 709-9563
		f. Fax No. (586) 772-9644	g. e-Mail spfapres@aol.com
h. The above-named labor organization or its agents have engaged in and are engaging in unfair labor practices within the meaning of section 8(b), 1(A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)			
<p>Since about (b) (6), (b) (7)(C) 2015, the above-named labor organization has restrained and coerced employee (b) (6), (b) (7)(C) in the exercise of rights protected by Section 7 of the Act by deducting dues in (b) (6), (b) (7)(C) 2015 before the collective-bargaining agreement was executed by the parties in October 2015 for arbitrary or discriminatory reasons or in bad faith.</p> <p>Since about (b) (6), (b) (7)(C) 2015, the above-named labor organization has restrained and coerced employee (b) (6), (b) (7)(C) in the exercise of rights protected by Section 7 of the Act by increasing (b) (6) dues from \$25.23 to \$26.48 for arbitrary or discriminatory reasons or in bad faith.</p>			
3. Name of Employer MVM, Inc.		4a. Tel. No.	4b. Cell No.
		4c. Fax No. (571) 223-4474	4d. e-Mail mchalec@mvmnc.com
5. Location of Plant involved (street, city, state, and ZIP code) 4460 Guilford Drive, Suite 150, Ashburn, VA 20147		6. Employer representative to contact Christopher McHale, General Counsel	
7. Type of Establishment (factory, mine, wholesaler) Federal Government Building	8. Principal product or service Security		9. Number of Workers employed 300
10. Full name of party filing charge (b) (6), (b) (7)(C)	11a. Tel. No.	11b. Cell No. (b) (6), (b) (7)(C)	
	11c. Fax No.	11d. e-Mail (b) (6), (b) (7)(C)	
11. Address of party filing charge (street, city, state, and ZIP code) (b) (6), (b) (7)(C)			
12. DECLARATION			
I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.			
By: (b) (6), (b) (7)(C)			Tel. No.
(signature of representative or person making charge)	(b) (6), (b) (7)(C)		Cell No. (b) (6), (b) (7)(C)
Address: (b) (6), (b) (7)(C)	Date: 04/23/2016	Fax No.	
		e-Mail (b) (6), (b) (7)(C)	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes. (b) (6), (b) (7)(C)



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 5  
BANK OF AMERICA CENTER, TOWER II  
100 S. CHARLES STREET, STE 600  
BALTIMORE, MD 21201

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (410)962-2822  
Fax: (410)962-2198

March 10, 2016

Michael J. Akins, Esq.  
Gregory, Moore, Jeakle, & Brooks, P.C.  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226

Re: International Union Security, Police and  
Fire Professionals of America (SPFPA)  
(MVM, Inc.)  
Case 05-CB-170364

Dear Mr. Akins:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

*/s/ Charles L. Posner*

Charles L. Posner  
Regional Director

cc: Mr. David Hickey  
President  
International Union, Security, Police and  
Fire Professionals of America (SPFPA)  
Local 555  
25510 Kelly Road  
Roseville, MI 48066-4932

(b) (6), (b) (7)(C)

Christopher McHale, Esq.  
MVM, Inc.  
44620 Guilford Drive, Suite 150  
Ashburn, VA 20147-6063